DOCUMENT RESUME

ED 445 037 TM 031 642

AUTHOR	Rivera, Charlene; Stansfield, Charles W.; Scialdone, Lewis; Sharkey, Margaret
TITLE	An Analysis of State Policies for the Inclusion and Accommodation of English Language Learners in State Assessment Programs during 1998-1999. Final Report.
INSTITUTION	George Washington Univ., Arlington, VA. Center for Equity and Excellence in Education.
SPONS AGENCY	Office of Bilingual Education and Minority Languages Affairs (ED), Washington, DC.
PUB DATE	2000-04-00
NOTE	405p.
PUB TYPE	Reports - Evaluative (142)
EDRS PRICE	MF01/PC17 Plus Postage.
DESCRIPTORS	Bilingual Education; *Educational Policy; Elementary Secondary Education; English; *Limited English Speaking; Participation; *Second Language Learning; State Programs; *Testing Programs
IDENTIFIERS	*Test Adaptations

ABSTRACT

This report presents a description of state policies regarding the participation of English language learners (ELLs) in statewide assessment programs during the 1998-1999 school year. The data collected included descriptions of policies: (1) for the inclusion and exemption of ELLs; (2) regarding the allowance or prohibition of accommodations in general as well as specific types of accommodations; (3) regarding the inclusion of accommodated test scores in state, district, and school totals; and (4) for use of alternate assessments and policies for reporting the resulting scores. The study is based on the direct analysis of documents provided primarily by directors of bilingual and English-as-a-Second-Language education in each state (two states do not have state assessment programs). Findings show that while almost all states (48) have exclusion/exemption policies, there is great variability in the degree to which state policies address aspects of ELL participation. Forty-six states allow some form of exemption. One finding of note is the absence of academic criteria from the list of criteria to be considered when making inclusion/exemption decisions. States offer accommodations that can be divided into presentation, response, setting, and timing/scheduling categories. Most state policies do not specify that a person with professional knowledge of language learning processes participate in the decision making process. Policies regarding alternate assessment measures for ELLs are absent from most state assessment programs. The report recommends that states review and revise their existing policies to align them with current legislation and good practice. Three appendixes contain study cover letters, discussions of documentation and alternate assessment, and the fourth appendix contains the individual state reports on state inclusion and accommodation policies. (Contains 11 tables, 18 figures, and 33 references.) (SLD)

Reproductions supplied by EDRS are the best that can be made
from the original document.

ED 445 037

Charlene Rivera
Center for Equity and Excellence in Education
The George Washington University

Charles W. Stansfield
Lewis Scialdone
Margaret Sharkey
Second Language Testing, Inc.

A Study sponsored by the
Office of Bilingual Education and Minority Languages Affairs
U.S. Department of Education

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION
CENTER (ERIC)
☑ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
- Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

TM031642

BEST COPY AVAILABLE

The George Washington University
WASHINGTON DC

Center for Equity and Excellence in Education

1730 North Lynn Street, Suite 401
Arlington, VA 22209

toll free: (800) 925-3223 telephone: (703) 528-3588
fax: (703) 528-5973
e-mail: ceeeinfo@ceee.gwu.edu
website: http://ceee.gwu.edu

Copyright 2000

All rights reserved. Any or all portions of this document may be freely reproduced and distributed without prior permission, provided the source is cited as:

Rivera, C., Stansfield, C.W., Scialdone, L, & Sharkey, M. (2000). *An Analysis of State Policies for the Inclusion and Accomodation of English Language Learners in State Assessment Programs during 1998-1999.* Arlington, VA: The George Washington University Center for Equity and Excellence in Education.

An Analysis of State Policies for the Inclusion and Accomodation of English Language Learners was sponsored by the U.S. Department of Education, Office of Bilingual Education and Minority Languages Affairs. The contents of this publication do not necessarily reflect the views or policies of the U. S. Department of Education or any agency of the U.S. Government.

An Analysis of State Policies for the Inclusion and Accommodation of English Language Learners in State Assessment Programs during 1998-1999

Charlene Rivera
Center for Equity and Excellence in Education
The George Washington University

Charles W. Stansfield
Lewis Scialdone
Margaret Sharkey
Second Language Testing, Inc.

April 2000
Final Report

Study conducted by the
Center for Equity and Excellence in Education
The George Washington University

1730 North Lynn Street, Suite 401 Arlington, Virginia 22209-2004
800-925-3223 ♦ 703-528-3588
www.ceee.gwu.edu

Sponsored by the
U.S. Department of Education
Office of Bilingual Education and Minority Languages Affairs

Acknowledgements

This study represents the collaborative efforts of several people who gave diligent attention to and invaluable support for its completion. We are grateful for the exceptional contributions of the Title VII directors who responded perseveringly to our requests for information. They located, reviewed and sent state documents pertinent to the inclusion and accommodation of ELLs. Subsequently, they expended considerable energy verifying the accuracy of our analyses of their policies. State Assessment directors also generously took time to review the individual state reports.

We thank Diane August for thoughtful and substantive advice on an initial draft of the report form, *State Inclusion and Accommodation Policies for LEP Students* found in Appendix D.

The vision, guidance and contribution to the conceptualization of the study by OBEMLA Director Delia Pompa were invaluable. Her understanding of the need for the study motivated her strong support for its funding. The assistance offered by the OBEMLA staff was certainly appreciated, particularly the input and feedback offered by Milagros Lanauze, the project officer, who assisted at varying stages of the project.

The breadth of the study required in-depth knowledge of state assessments and the inclusion of English language learners. The many voices who gave thoughtful reviews, provided helpful comments and proposed valuable recommendations include:

- **Diane August**, August and Associates
- **Pasquale DeVito**, Director, Office of Assessment, Rhode Island Department of Education
- **Tom Fisher**, Administrator, Assessment and Evaluation Services, Florida Department of Education
- **Milagros Lanuauze**, Senior Education Program Specialist, US Department of Education
- **Kristin Liu**, Research Fellow for LEP Issues, Minnesota Assessment Project, National Center for Educational Outcomes
- **Delia Pompa**, Executive Director, National Association for Bilingual Education
- **Heidi Ramirez**, Special Assistant to Deputy Director of Education, US Department of Education
- **Sharon Saez**, Senior Education Program Specialist, US Department of Education
- **William Schafer**, Associate Professor, Maryland Department of Education, University of Maryland
- **Jan Sheinker**, Educational Services, Inc.
- **Roger Trent**, Director, Division of Evaluation and Assessment, Ohio Department of Education
- **Kit Viator**, Administrator, Accountability & Evaluation Services, Massachusetts Department of Education
- **Hugh Walkup**, Standards Team Leader, US Department of Education
- **Annette Zehler**, Senior Associate, Development Associates

Finally, a special thanks to staff members of the Center for Equity and Excellence in Education at the George Washington University staff who contributed their time and energies to support this study. Barbara Hicks, Mary DuRoss and Theresa Bui diligently tracked state documents and followed up collecting documents from Title VII and State Assessment directors. Nicole Chase and Sharron Coleman received and organized the numerous state documents submitted. Their efforts were untiring and greatly appreciated.

Table of Contents

Acknowledgements iii

Table of Contents v

List of Tables vii

List of Figures vii

Executive Summary ix

I. Introduction 1

- Definitions 2

II. Review of Literature 4

- Definition and Identification of English Language Learners 4
- State Policies/Practices for Including and Exempting ELLs 5
  - *Exclusion* 5
  - *Exemption Time Limits* 5
  - *Inclusion/Exemption Decision-Making* 6
- State Policies Regarding the Use of Accommodations 7
  - *Studies of the Impact of Accommodations* 8
  - *Testing in the Native Language* 8
  - *Alternate Assessments* 10
  - *Score Reporting* 10

III. Research Questions 12

IV. Methodology 13

- Collection of Source Documents 13
- Classification of Documents 14
- Analysis of Documents 14

V. Results 17

- Identifying ELLs 17
- Inclusion/Exemption Policies 18
  - *Time Limits* 18
  - *Inclusion/Exemption Criteria* 20
  - *Inclusion/Exemption Decision-Makers* 24
- Accommodation Policies 26
  - *Accommodation Criteria* 28
  - *Accommodation decision-makers* 31
  - *Allowance of Accommodations* 33
  - *View from a Traditional Classification of Accommodations* 33
  - *Setting Accommodations* 35
  - *Timing/Scheduling Accommodations* 36
  - *Presentation Format Accommodations* 37
  - *Response Format Accommodations* 40
  - *Prohibition of Accommodations* 42
  - *View from a Linguistic Classification of Accommodations* 44
- Reporting Scores 49
- Alternate Assessments 54
- Summary of State Policies 57

VI. Discussion 59

Introduction 59
Definition and Identification of ELLs 59
Inclusion/Exemption Policies 60
Inclusion/Exemption Criteria 60
Top Ten States 61
Inclusion/Exemption Decision-Makers 61
Top Ten States 61
Accommodation Policies 62
Accommodation criteria 62
Top Ten States 62
Accommodation decision-makers 63
Top Ten States 63
Allowance and Prohibition of Accommodations 63
Top Ten states 65
The History of ELL Accommodations 65
Nature of Linguistic Accommodations 66
Score Reporting 67
Top Ten States 67
Alternate Assessments 67
Top Ten States 68

VII. Summary and Recommendations 69

Summary of Findings 69
Recommendations 69
Recommended Research 70
Other Recommendations 71

References 72

Appendix A A1

Original mailing sent to State Title VII Directors A2
Second mailing sent to State Title VII Directors A5
Mailing sent to State Assessment Directors A8

Appendix B B1

Documentation B2

Appendix C B1

Alternate Assessment Policies B2

Appendix D

State Inclusion and Accommodation Policies for LEP Students D1

7

List of Tables

Table 1. Inclusion/exemption criteria by state 21
Table 2. Inclusion/exemption decision-makers by state 25
Table 3. Accommodation criteria by state 30
Table 4. Accommodation decision-makers by state 32
Table 5. Setting accommodations allowed by state 35
Table 6. Timing/scheduling accommodations allowed by state 36
Table 7. Presentation format accommodations allowed by state 38
Table 8. Response format accommodations allowed by state 40
Table 9. Other accommodations allowed by state 41
Table 10. Accommodations prohibited by state 42
Table 11. Score reporting policies by state 52

List of Figures

Figure 1. Types of relevant documents submitted by SEAs by number and percent 14
Figure 2. Topics addressed in relevant state documents by number and percent of states 15
Figure 3. ELL definition used by each state 17
Figure 4. Maximum number of years exemptions are allowed by number and percent of states 18
Figure 5. Inclusion/exemption policy overview 19
Figure 6. Inclusion criteria by number and percent of states 20
Figure 7. Inclusion decision-makers by number and percent of states 24
Figure 8. Accommodation policy overview 27
Figure 9. Accommodation criteria by number and percent of states 28
Figure 10. Accommodation decision-makers by number and percent of states 31
Figure 11. Traditional classification of individual accommodations allowed by number and percent of states 34
Figure 12. Traditional classification of individual accommodations prohibited by number and percent of states 43
Figure 13. Linguistic classification of individual accommodations allowed by number and percent of states 45
Figure 14. Linguistic classification of individual accommodations prohibited by number and percent of states 48
Figure 15. Score reporting policy overview 50
Figure 16. Number and percent of states that do/do not report student scores by individual accommodations 51
Figure 17. Alternate assessments policy overview 56
Figure 18. Summary of inclusion and accommodation policies by number and percent of states 58

Executive Summary

The Improving America's Schools Act of 1994 (IASA) requires states to adopt a standards-based system where *all* students, including limited English proficient (LEP) students, also known as English language learners (ELLs), are expected to reach the highest standards. One important element of the standards-based system is assessment. IASA requires states to implement assessment systems by the 2000-2001 school year that allow *all* students the opportunity to demonstrate their skills and knowledge. As IASA implementation deadlines approach, the development of new state policies is a major focus of many states.

This report presents a description of state policies regarding the participation of English language learners (ELLs) in statewide assessment programs during the 1998-1999 school year.

The data collected regarding ELL participation in state assessment programs included: 1) policies for the inclusion and exemption of ELLs; 2) policies regarding the allowance or prohibition of accommodations in general as well as specific types of accommodations, including the criteria states use to make accommodations decisions; 3) policies regarding the inclusion of accommodated test scores in state, district, and school totals; and 4) policies for use of alternate assessments and policies for reporting the resulting scores.

We analyzed the documents with the following broad questions in mind:

1. What were the states' inclusion/exemption policies in the 1998-1999 school year?
2. What were the states' accommodation policies for ELLs in the 1998-1999 school year?
3. What were states' score reporting policies for ELL students who received an accommodated version of a state assessment in the 1998-1999 school year?
4. What were states' alternate assessment and score reporting policies for ELL students in the 1998-1999 school year?

Methodology

The study is unique in that it is based on the direct analysis of state documents provided primarily by Title VII Bilingual and English as a Second Language (ESL) directors in state education agencies. Some State Assessment directors also provided policy documents in states where Title VII directors were in transition. We requested the following types of information:

- State assessment handbooks which include the policies for exempting, assessing, and accommodating ELLs;
- Any state assessment policy memorandum applicable to the inclusion of ELLs in state assessment programs and not included in the state assessment handbook;
- Any guidelines the state provides to districts, schools, or test administrators regarding the implementation of policies for exempting, including, or accommodating ELLs; and
- Any documents the state has produced to help districts and schools implement state assessment policies for ELLs.

Once all states (including the District of Columbia) with state assessments (Iowa and Nebraska do not have state assessment programs) submitted policy documents, they were classified by document type. The most common types submitted included the following: guides, guidelines, manuals, and handbooks. Next, the documents were classified by the degree of relevance to the study. The relevant documents served as the basis for the policy analysis. Following the analysis, state reports were generated and sent to the Title VII and State Assessment Directors for review. The resulting analysis and final report provide a nationwide description of inclusion and accommodation policies.

Results

Inclusion Policies: Criteria and Decision-Making

Historically, states have often systematically exempted ELLs from inclusion in state mandated assessment programs. The Improving America's Schools Act of 1994 (IASA) requires states to create one assessment system that is appropriate for all students, including ELLs. The state documents analyzed for this study reveal that, for the 1998-1999 school year, 47 states and the District of Columbia have policies that address the inclusion and/or exemption of ELLs in state assessment programs.

The policy documents indicate that, while almost all states have inclusion/exemption policies, there is great variability in the degree to which state policies specifically address various aspects of ELL participation in state assessments. Some states provide detailed guidelines for helping local districts and schools make appropriate decisions, while other states offer no specific guidance. Of the 47 states and the District of Columbia that have inclusion/exemption policies, 46 allow some opportunity for exemption. Of these, 35 have policies regarding exemption time limits. The majority, 21 states, set a three-year limit on exemptions. Eleven states set a two-year limit, two states allow more than three years, and one state has no time limit.

The criteria to be used in making inclusion decisions are addressed by most states (45). The greatest number of states (17) considers only one criterion. Eleven states consider two criteria, eight states consider three criteria, and the remaining eight states consider four or more criteria. Of the 17 states that focus on one criterion, 9 use a time-related criterion and the remaining states use a variety of different criteria. The criterion used by the most states (23) to make inclusion/exemption decisions is the student's English language proficiency as determined through a formal language proficiency assessment.

One finding of note is the absence of *academic* criteria from the list of criteria to be considered when making inclusion/exemption decisions. Academic criteria, which are related to a student's academic background, include performance on tests other than the standard test (specified by 11 states as an appropriate criterion), performance in school work (specified by 6 states as an appropriate criterion), and the student's academic background in his/her native language (considered by 3 states as an appropriate criterion).

The kinds of individuals who should participate in the decision to include or exempt a student are identified by 39 states in their written policies. The most prevalent decision-makers are school/district official(s) (25 states), parent(s)/guardian(s), (20 states), and a local committee composed of unspecified members (18 states). The student's classroom teacher is nominated by 14 states. A substantially smaller number of states specify inclusion of the student (6 states), the student's ESL/bilingual teacher (4 states), and the test administrator (4 states) in the decision-making process. It can be assumed that local committees include some of these decision-makers without naming them explicitly in state documents.

Accommodation Policies: Allowance and Prohibitions

The report provides a national picture of state accommodation policies as well as a state-by-state analysis of state practices regarding the allowance and prohibition of accommodations for ELLs. Accommodations are changes in the test or testing situation that address a student's special needs and that provide the student access to the test to enable him/her to demonstrate academic knowledge. The use of accommodations is intended to level the playing field for students who receive them. As applied to ELLs in testing situations, the student's special needs are linguistic because of his/her limited English proficiency.

States offer accommodations that can be classified into four types: 1) *presentation*, *2) response*, *3) setting*, and *4) timing/scheduling*. The most prevalent accommodation types are ones that modify either the test setting or its timing/scheduling. Examples of *setting* accommodations include individual or small group administration, and administration in a separate location. *Timing/scheduling* accommodations are also popular. They include extended testing time and extra breaks. Less frequently used are accommodations that affect the presentation of the test. *Presentation* accommodations include explanation, repetition, or oral reading of directions, bilingual or translated versions of the test, and administration of the test by a person familiar to the student. *Response* accommodations include allowing a student to dictate his/her answers, and allowing a student to respond in his/her native language.

While 40 states have accommodation policies for ELLs, only 37 states allow accommodations. Of the 37 states, 13 prohibit at least one accommodation. Three states prohibit all accommodations.

An important finding with regard to accommodations is that states more frequently use accommodations that do not support the linguistic needs of ELLs. These include *timing/scheduling* and *setting* accommodations. The accommodations which can address the linguistic needs of ELLs are least frequently allowed and most frequently prohibited. These include *presentation* and *response* accommodations.

Accommodation Policies:
Criteria and Decision-Making

Twenty-six states address the criteria for making decisions to provide accommodations to students taking state assessments. The majority of these states (21) make decisions to allow accommodations based on the student's routine classroom accommodations. Fifteen states use one criterion to determine accommodations; 13 of the 15 one-criterion states specify that the accommodations allowed should be the same accommodations routinely provided in classroom instruction. The next most popular criterion for determining the need for accommodations is formal assessment of English proficiency, which is used by six states.

Regarding state policies that address decision-makers, 23 states make some mention of a decision-making person or team. The most prevalent decision-maker is the student's classroom teacher. Fourteen states recommend teacher participation. Twelve states recommend setting up a local committee, but without specifying the kinds of people who should make up the committee. Eleven states recommend the involvement of school/district officials and parents/guardians. Test administrators, ESL/bilingual teachers and the student are mentioned explicitly in only a few state policies. Of note is the low frequency with which states specify that the student and ESL/Bilingual teachers be included in the decision-making process.

Reporting Results

Some states have specific policies on the inclusion of LEP students' scores in school, district, and state averages. These policies may also depend on the use of accommodations. Accommodations that are viewed as giving an unfair advantage may result in the student's score not being included in the reported averages.

For this study, 17 out of 37 states that allow accommodations produced documents that explain their score reporting practices (i.e., whether or not the scores of ELLs who receive accommodations are included in state, district and/school totals). The documents submitted by these states are characterized by lack of detail and comprehensiveness. Of the 17 states that address score reporting, 9 states indicate that, when specific accommodations are used, scores are not to be included in state, district, and/or school totals. Eight states have a policy requiring the scores of ELLs who have received accommodations to be included in state, district, and school totals.

Alternate Assessments

Alternate assessments are formal tests or assessment procedures that may be used when standard assessments are inappropriate for the student due to lack of language proficiency or other matters. State policies regarding alternate assessments vary widely. The majority of states that have statewide assessments (27) do not mention them. Of the 22 states that refer to alternate assessments in their policies, 7 states prohibit alternate assessments, while the remaining 15 states allow them, including 6 states that require ELLs be given an alternate assessment when the student is exempted from the regular assessment. Technical and practical issues surround the use of alternate assessments. Among the 15 states that allow alternate assessments, the majority are far from having a fully developed alternate assessment program.

Conclusions

The analysis of states' policies regarding the inclusion, exemption, and accommodation of ELLs in state assessments provides a nationwide picture of current state practices. The analysis of the states' policies leads to the following conclusions about state assessment program policies for ELLs in the 1998-1999 school year:

1. Almost all states (48, including the District of Columbia) have inclusion policies for ELLs. Forty-six (46) states allow some form of exemption. Of these, 35 states have policies regarding exemption time limits. Most states (40) have accommodation policies.

2. State policies generally provide minimal guidance to local districts and schools.

3. State policies vary significantly in detail and in their focus on ELL assessment needs. They are often brief, lack specificity, and do not address important aspects of ELL participation in state assessments.

4. Most states' policies do not specify the consideration of a student's academic background as a criterion for inclusion/exemption decision-making.

5. Most states' policies do not specify that a person with professional knowledge of language learning processes, such as an ESL or bilingual education teacher, take part in the decision-making process.

6. The accommodations most frequently allowed are carried over from Special Education accommodation policies and are not specifically designed to address the linguistic needs of ELLs.

7. Accommodations, like test translation, that would provide the greatest amount of language support for some ELLs are among those least frequently allowed and most frequently prohibited.

8. Policies regarding alternate assessment measures for ELLs are absent from most state assessment programs.

In light of the efforts to provide equitable educational opportunities for *all* students, state inclusion, exemption, and accommodation policies generally need to be more fully developed, and to be periodically reviewed and updated to reflect the increasing understanding of the subject.

The final section of the report recommends that states review and revise their existing policies so that they are aligned with current legislation and good practice. The report concludes with recommendations for additional research that needs to be carried out in order to further the equitable assessment of English language learners.

I. Introduction

The purpose of this study is to document inclusion, exemption and accommodation policies related to English language learners (ELLs) for state[1] required assessments. The documentation is based on an analysis of state policies in place during the 1998-1999 school year.[2] Hundreds of documents were collected from State Education Agency (SEA) Title VII Bilingual and English as a Second Language (ESL) Directors in all 50 states and the District of Columbia.

We analyzed the documents with the following broad questions in mind:

1. What were the states' inclusion/exemption policies in the 1998-1999 school year?
2. What were the states' accommodation policies for ELLs in the 1998-1999 school year?
3. What were states' score reporting policies for ELL students who received an accommodated version of a state assessment in the 1998-1999 school year?
4. What were states' alternate assessment and score reporting policies for ELL students in the 1998-1999 school year?

Finding answers to these questions is critical considering the current emphasis on standards for school and student accountability. The Improving America's Schools Act of 1994 (IASA) requires states and districts to adopt a standards-based system where *all* students, including limited English proficient (LEP) students, also known as English language learners (ELLs)[3], are expected to reach the highest standards. Standards-based reform not only calls for setting standards but also for establishing accountability systems that ensure all students reach those standards (LaCelle-Peterson & Rivera, 1994). The consequent emphasis on accountability requires states to find appropriate and equitable ways to involve *all* students in state assessment programs, including those who are in the process of learning English.

The inclusion of ELLs in standards-based systems and state assessment programs has proven to be a particular challenge. Since the passage of IASA in 1994, states have demanded extensive technical assistance from the U.S. Department of Education (ED) and ED-funded technical assistance entities to help them meet the requirement to appropriately include ELL students in state assessment programs. As part of technical assistance, there is also the demand from both states and districts to find out what other states or districts with similar demographics and challenges are doing to meet this requirement (Office of Bilingual Education and Minority Language Affairs [OBEMLA], 1999).

Moreover, the status of state assessment systems has changed continually since the passage of IASA in 1994. IASA requires states to create one assessment system that is appropriate for *all* students, including ELLs. For the most part, states have developed and put in place transitional assessment systems, but few have final assessment systems in place. As the deadlines approach in the IASA legislation for final assessment systems, the U.S. Department of Education has developed criteria to judge the acceptability of these assessment systems (U.S. Department of Education, 1999). It is, therefore, critical to analyze the status of current and emerging state policies in this challenging area.

---

[1] Throughout this report, any reference to states includes the District of Columbia.

[2] As this report is being completed, some states have begun implementing changes to their policies for the 1999-2000 school year. This report, however, is limited to policies in place during the 1998-1999 school year.

[3] By definition, limited English proficient (LEP) students are those who do not have sufficient English language speaking, understanding, reading and writing skills to participate in an all English classroom. These students are often unable to participate in conventional English language assessments because they do not generally have the English language skills needed to participate meaningfully in testing conducted in English (OBEMLA, 1999). In communicating with the states about the study, we used the term LEP because it is the commonly used term. In this report, however, we use the term English language learner (ELL). ELL refers in a positive way to a student who is in the process of learning English.

Previous compilations of information on what states are doing to include ELLs in assessment systems are dated (Lara & August, 1996; O'Malley & Valdez-Pierce, 1994; Rivera, Vincent, Hafner, & LaCelle-Peterson, 1997). Thus, there is a need for an updated picture of state policies for including, exempting and accommodating ELLs in state assessment programs. In recognition of this need, OBEMLA commissioned the Center for Equity and Excellence in Education at The George Washington University to conduct this study.

To gain perspective on the current status of inclusion, exemption and accommodation policies related to ELLs, we first review recent literature describing the ever-changing status of state ELL assessment policies.

We then describe the methodology used to collect, input, and analyze the states' assessment policies. Our analysis uses state policies to provide answers to the study's research questions. The goals of the analysis are 1) to describe the issues related to including and accommodating ELLs in state assessments; 2) to analyze what states have done so far by looking across states at the national picture and to extract from that picture trends and issues; and 3) to develop state-by-state reports based on our examination of individual state policies. These reports are included in Appendix D.

Definitions

For clarity and because some terms have acquired different meanings over time, we provide definitions of certain terms used in this report. The reader should keep in mind that terms might be used and understood somewhat differently in different states, thereby making the process of researching and discussing testing practices more complex.

Accommodation(s): This is a broad term that refers to any specific change to the testing situation, (e.g. presentation format, response format, setting, and the timing/ scheduling of tests). The utilization of accommodations for a specific ELL, or all ELLs, is a means of enabling them to demonstrate their academic knowledge despite their limited English proficiency.

Alternate Assessment, Alternative Assessment: In the late 1980s, the term "alternative assessments" came into use. The term referred to any measure that was not limited to the use of multiple-choice items. It was often used synonymously with performance assessment. Because the term "alternative assessment" already had a specific meaning, the term "alternate" came to be popularly used to refer to surrogate assessments created for special populations.

"Alternate assessments" are generally thought to be assessments for special populations of students, such as students with disabilities and students with special needs, i.e., ELLs. They are used when administration of the standard assessment would be highly inappropriate. Alternate assessments may come in any format, and they may or may not test the same content or standards as the standard assessment. Therefore, they may not be comparable with the standard assessment.

The usage of the terms "alternate" and "alternative" assessment in state policies is inconsistent. Because alternate assessments often contain the nontraditional item formats associated with alternative assessment, some states simply never began using the term "alternate." While "alternate" is the preferred term, "alternative" is used in some states, and in some others the terms are used synonymously in the same document. Thus, the intended meaning of the term "alternative assessment" in a state document is not always clear, even to a well-informed reader. However, since a majority of state policies use the term "alternate assessment", for consistency we use this term throughout the report.

Deferral: The practice of postponing participation of ELLs in assessments for a specified period of time. Deferral always requires some sort of exemption.

Exclusion: The practice of NOT allowing ELLs to participate in a state required formal assessment.

Exemption: The practice of allowing a specific ELL, or all ELLs, NOT to participate in a state-required formal assessment. An exemption may be temporary (as in the case of a deferral) or permanent.

Inclusion: The practice of including a specific ELL, or all ELLs, in a state mandated formal assessment.

Inclusion/Exemption Policy: The term is used in this report because of the nature of state policies. Some states' policies focus on who should be included in the testing program. Other states' policies focus on who should be exempted.

Modification: Sometimes the words "accommodation" and "modification" are used synonymously within and across state policies. However, in this report "modification" is used to mean a type of accommodation that involves a change in the test format (e.g., linguistic simplification, an adaptation, or a special version of the test).

Sometimes the word "modification" implies that the scores obtained on the test may not be comparable with scores on the standard assessment. A modified test should not be confused with an alternate assessment, which can be quite different from the standard assessment. The use of modification employed here is quite frequently encountered in state policies.

Out of level testing: In a few states, when a test is considered inappropriate for a student, testing "out-of-level" may be permitted. Out-of-level testing means that a test from a grade level other than the current grade level of the student is administered. When allowed, it would be possible for an eighth grade student to take a sixth grade test. Depending on state interpretation, out-of-level testing may be considered an accommodation or an alternate assessment.

Test Component: Refers to any portion or subsection of a state's entire assessment program. It may refer to an assessment of a single subject that may or may not be administered at a given grade level, or to a part of a subtest.

Translation/Adaptation: A translated test is one where the same exact content is rendered into a non-English language. The standard test and translated test then differ only in language, not in content.

An adaptation is a modified version of the standard assessment. Due to the nature of some tests, adaptation is required in order for the standard test to be appropriately rendered into a non-English language; adaptation involves removing some items and replacing them with others that are more valid for the examinee population.

II. Review of Literature

IASA requires states to implement comprehensive assessment policies and programs by the 2000-2001 school year. As that deadline nears, states have increased their efforts to develop and implement appropriate assessment systems to ensure the inclusion of ELLs.

The literature related to the inclusion of ELLs in large-scale assessments, such as the *National Assessment of Educational Progress* (NAEP) and state assessment programs, is limited and tends to take the form of policy statements rather than empirical data. The scarcity of empirical data in this area indicates a need for direct examination of assessment policies and practices for ELLs, particularly as they have an impact on efforts to provide an equitable education for *all* students.

Definition and Identification of English Language Learners

Efforts to address the needs of English language learners as a specific student population require, as a first step, a means for defining and identifying ELLs. Without a common operational definition and specific guidelines, the process of identifying ELLs is subject to inconsistency across and within states.

O'Malley and Pierce (1994) assert that proper identification and placement of ELLs is a critical step for determining which students need special language services, which types of services are most appropriate, and which criteria should be met to properly reclassify or exit students from these services. Because statewide test scores are often the basis of various moderate to high-stakes decisions, it is important to include ELLs in the tests used to make such decisions. Moderate to high-stakes decisions based on test scores are made on such issues as: 1) state funding allocations, 2) curriculum restructuring, 3) staff development, 4) teacher certification and pay, 5) determination of which teachers retain their positions, 6) changes in school governance structures, 7) grade promotion standards, 8) requirements for placement in advanced courses, and 9) requirements for high school graduation. Many of these have a significant impact on the instruction the ELL receives.

Results of the O'Malley and Pierce (1994) survey of 34 SEAs regarding ELL participation in state testing indicate that in 1991, fewer than one-third of the states required any kind of assessment instrument for the identification of ELLs. Of the states that did require use of an assessment instrument, not one had established a specific criterion -- such as a designated score on a specific standardized test or a specific level on an English proficiency test -- that would have provided local districts with a standard for identifying ELLs.

O'Malley and Pierce view this as an absence of a focused effort to implement specific guidelines for identification of ELLs. In view of the fact that identification is the first of many steps in developing an appropriate process for deciding ELL participation in state assessment programs, the authors see the infrequent use of assessment instruments to identify ELLs as a cause for concern.

Findings from other research are consistent with those of O'Malley and Pierce. Rivera, Vincent, Hafner and LaCelle-Peterson (1997) found that, though legislation had created a federal definition of ELLs[4] (IASA, 1994), there was no common operational definition across states. As a result, a student who was identified as an ELL in one state might not be identified as an ELL in another. Similarly, in a study of ELL participation in state tests in Minnesota (Spicuzza, Erickson, Thurlow, Liu, and Ruhland, 1997), school administrators and ESL and Bilingual Education teachers expressed great concern over the lack of consensus on the definition of ELLs, and the resulting confusion and uncertainty this caused when trying to decide on appropriate participation.

Findings of this nature have prompted the authors of these studies, and other educators (August, Hakuta, and Pompa, 1994; National Association of State Boards of Education [NASBE], 1997) to encourage states to adopt a common operational definition of ELLs, as well as to provide specific guidelines for local schools to use in identifying ELLs.

---

[4] The IASA definition appears on page 17 of this report.

State Policies/Practices for Including and Exempting ELLs

According to a report from the U.S. General Accounting Office (1994), the appropriate inclusion of ELLs in state testing programs is a critical factor in efforts to achieve equity in education for *all* students. Policies that provide for the inclusion of all students, including ELLs, offer multiple benefits to the schools, as well as to the students (NASBE, 1997). The benefits to schools may include the accurate identification of ELLs and the gathering of more complete student information on them. These benefits can lead to well-informed decisions and policies. For example, the information gathered could be used to identify special service needs, which can then lead to the provision of new or improved services to ELLs. Continual updating of information on students' background and achievement can be used as a means for schools to monitor student progress. The monitoring of student progress is an important element in state and district accountability for ELLs. Student benefits of inclusion policies include equitable participation in the educational system, the opportunity to demonstrate knowledge and skills, and the experience of test taking, a learning experience in itself.

Exclusion

Historically, the means of addressing the needs of ELLs in state testing frequently has been to exclude or defer them (Rivera & Vincent, 1997). In an examination of exclusion policies, August, Hakuta and Pompa (1994) list factors that may contribute to the exclusion or deferral of ELLs from large-scale assessments. The list includes reference to the various aspects of the inclusion/exemption decision-making process. Factors include the following: 1) the lack of clear and consistent operational definitions of ELLs at the national, state and local levels; 2) guidelines that exclude students who are in bilingual education and English as a second language (ESL) programs; 3) the varying degrees of English language proficiency of students in bilingual and ESL programs; 4) guidelines that allow local decisions to be made about ELL participation; 5) differential implementation of guidelines; 6) failure to monitor the extent to which the intent of the guidelines is followed; 7) lack of accommodations in assessment materials and procedures that would enable ELLs to participate; and 8) a desire not to require ELLs to take an assessment they cannot understand because of limited English proficiency.

In 1994, Lara and August (1996) sent a questionnaire to all states concerning their policies toward ELLs in statewide assessments. Of the 43 states that responded, 35 permitted their exemption. Only five states required ELLs to participate, and three of these permitted their exemption under certain conditions. Four states left the participation up to local districts. In such cases, the states routinely specified that the "tests should not be given if it will cause undue frustration or produce useless or invalid scores" (p. 8).

Widespread exclusion policies bring about a systemic ignorance of the educational progress of the students involved. This has often led to ELLs being assigned to remedial tracks and lower-level curriculum tasks (LaCelle-Peterson & Rivera, 1994). DeVito (1997) reported that, before recent reform took hold, such a policy of widespread exclusion existed in Rhode Island. The policy of exclusion led to inaccuracy of information, because schools could provide no information on students who were not included in assessments. Data reports without information on excluded students were often presented as complete. The National Association of State Boards of Education (NASBE, 1997) stated that exempting ELLs from state testing means that in some schools, testing information is available for less than one-half of the student body, while the majority of the student body -- the excluded students -- are not being held accountable to state standards.

Exemption Time Limits

Some state exemption policies specify time limits or provide criteria for deferring students. In a 1997 study of ELL participation in high school graduation tests, Rivera and Vincent found that, of the 17 states that required students to pass a high school graduation test, eight allowed deferrals for ELLs. The deferrals typically ranged from six to twelve months. While the intent of the states that apply this policy is to allow the students time to improve their English language skills, it is likely that some students need more than six to twelve months to achieve a level of *cognitive/academic language proficiency* in English that is appropriate for successful test-taking. Some students, those with a high degree of literacy, may be able to read and learn in a new content area within a year; such students are able to benefit from inclusion in the assessment within this short period of time. Others may take longer (Collier, 1992; Cummins, 1989).

A further concern related to the imposition of exemption time limits is the issue of testwiseness. Students who traditionally have been exempted from tests do not have the opportunity to benefit from the test-taking experience (Rivera & Vincent, 1997). When these students are ultimately faced with a test-taking situation, they are likely to lack familiarity with the testing process, and the lack of subsequent confidence to succeed in the test. In a 1998 survey of educators in Massachusetts regarding the implementation of a new state assessment system, Lachat and Brown found testwiseness to be one issue of concern. One Transitional Bilingual Education director responded, "We plan to work with the children on testwiseness. This task is out of the universe for these kids. All the mechanics of it are so foreign. Most of our kids do not read on grade level and they've never seen tests like this before" (p. 16).

Inclusion/Exemption Decision-Making

Various aspects of the inclusion/exemption decision-making process include the identification of ELLs, the gathering of student information, consideration of the student's information in light of appropriate criteria, and the decision-making itself. By having clear policies and providing clear guidelines for implementation, states can equip local schools with measures that ensure consistency in ELL practices. In considering polices that would ensure this consistency, Rivera and Stansfield (1998) proposed a framework for designing and implementing appropriate decision-making systems. The authors recommend a system of teams at the state, district, school, and individual student levels. Composition of the teams would vary by level so as to include the most suitable individuals. This system would include representatives of the stakeholders, ESL and bilingual coordinators, school administrators, regular classroom teachers, ESL or bilingual teachers, and parents. The teams would have specific duties and responsibilities. Teams at the state level would set policy and provide specific guidelines, which would be implemented at the school and individual student levels. The system would require close consideration of the student's personal, academic, and linguistic background as critical factors in the decision to include and/or exempt a student.

Research regarding decision-making policies indicates that existing decision-making systems are more general than specific in detail and focus. Stancavage and Quick (1999) found that state policies are often too vague to be useful, and that written guidelines have little impact on inclusion decisions of local personnel. Similarly, O'Malley and Pierce (1994) point out that "most guidelines regarding participation of [ELLs] in statewide assessment programs are sufficiently broad as to be of little value to school staff" (p. 244).

In a survey of educators in Minnesota regarding the development of a new state assessment system, Liu, Spicuzza, Erickson, Thurlow, and Ruhland (1997) found that inclusion/exemption decisions were often made by individuals or teams with little professional knowledge of ELL needs, and that respondents often either did not know what the decision-making process was, or else they felt the process was inadequate. Of note is that 90 percent of such responses came from educators in large urban areas, which are likely to have the highest concentration of ELL populations.

Considering the many issues involved in inclusion/exemption decision-making, it seems most likely that state policies offering specific guidelines for determining appropriate participation for each student could lead to consistent decisions at the local level across a state. Specifically, decision-making processes that include educators who are most familiar with the student, who have knowledge of language acquisition processes, and who have experience teaching ELLs can likely result in appropriate and well-informed decisions.

State Policies Regarding the Use of Accommodations

The use of accommodations is a relatively recent phenomenon when applied to statewide assessment programs and the inclusion of ELLs (DeVito, 1997). The policy of offering accommodations to ELLs is an extension of similar Special Education policies, a point that will be discussed in further detail in the *Discussion* section of this report. The effort to include *all* students in state tests warrants the use of practices that modify the test situation to enable ELLs to demonstrate their knowledge and abilities. IASA legislation requires that states make efforts to provide appropriate accommodations to give any one student an equitable opportunity to demonstrate his/her knowledge and skills.

Rivera and Stansfield (1998) note that the provision of accommodations, when used appropriately, can offer multiple advantages to both schools and students. For schools, the appropriate use of accommodations may improve the accuracy of test scores and increase the comparability of scores; minimize measurement error and increase the validity of the test; provide a means for including some students who might otherwise not be included; and lead to more accurate information on student populations. Accommodations allow more students to participate in the testing, providing a means of allowing the student to demonstrate knowledge and skills. Thus, they may make for a more equitable and meaningful testing experience. Ultimately, they can provide the school with a broad understanding of the achievement of all students on the particular tests used.

Rivera and Stansfield (1998) warn that, though the use of accommodations can offer many benefits, the selection of appropriate accommodations requires careful consideration. Inappropriate use of accommodations can occur in three ways: 1) if the accommodation were to give the student an unfair advantage over other examinees; 2) if the accommodation does not address any particular student disadvantage; and 3) if the accommodation were to have a negative, rather than positive, impact.

First, an example of an accommodation that could give an unfair advantage is allowing an ELL to use a monolingual dictionary in English or the student's native language. In comparison with a bilingual dictionary, a monolingual dictionary typically offers much more information, including definitions. It would be unfair if one group of students has access to definitions of scientific terms, for example, while other examinees do not.

Second, an example of an accommodation that might not adequately address a particular student disadvantage is the allowance of extra time. Additional time may be of no benefit to students whose level of English proficiency is so low that they simply cannot understand the test questions.

Third, an example of an accommodation that could have a negative impact is a decision to test all ELLs who speak a certain language with a translated version of the test in that language regardless of their academic background. Students not literate in their first language will be at a disadvantage regardless of whether they take they test in the native language or English. Similarly, if the students have not received instruction in their first language in the subject matter of the test, but have received such instruction in English, they may suffer greater disadvantage than if they take the test in English.

In light of the multiple issues involved in the provision of accommodations, it seems critical that state accommodation policies provide a means for local schools to make appropriate accommodation decisions. Such policies would likely include specific guidelines for the appointment of a knowledgeable decision-making team, as well as for the consideration of multiple criteria in arriving at the most appropriate decision.

Development of the multi-level system proposed by Rivera and Stansfield (1998) can provide the mechanism for states to ensure that state policies are carried out at the local level. The authors recommend the decisions be made by a local assessment team on a case-by-case basis. This team can select from a list of allowable accommodations recommended by a similar assessment team at the state level.

Various studies have focused on existing accommodation systems. One such study was conducted in Rhode Island, where a new state policy designed to include *all* students in testing provides a list of more than fifty accommodations from which local assessment teams can choose (DeVito, 1997). The accommodations are classified into one of four groups: administration (we refer to these as *presentation*), response, setting, and timing (*scheduling*) accommodations. DeVito reported the most frequently used accommodations in Rhode Island as the repeating of test directions, and the reading of questions orally -- both of which are *presentation* accommodations. In general, there is evidence of regular and frequent use of *setting*, *scheduling*, and *presentation* accommodations (Rivera and Vincent, 1997; CCSSO, 1997; Olson and Goldstein, 1997).

Studies of the Impact of Accommodations

While the provision of accommodations seems to be an appropriate policy for the ELL population, few studies exist that examine the impact of specific accommodations on student scores. Abedi (1999) examined ELL math scores of eighth grade students in California. Specifically, he studied the impact on scores of four accommodations: linguistic simplification of test items, provision of an English language glossary, extended time limits and, finally, the combination of the use of an English language glossary and extended time limits. The results indicated that, regarding the linguistic simplification of test items, a student's level of proficiency was related to the usefulness of the accommodation. Neither the extended time limits nor the provision of an English language glossary had a significant impact on ELL performance. In fact, the use of an English language glossary as the only accommodation resulted in lower scores. However, when provision of an English language glossary was combined with extended time limits, there was a positive impact on ELL scores.

In another study, Shepard, Taylor, and Betebenner (1999) examined the impact of a number of accommodations on mathematics test scores for fourth grade students in Rhode Island. Results revealed relatively little impact on scores from many of the accommodations, including the allowance of extra time.

In a similar study of grade eight students in New Jersey, Miller, Okum, Sinai, and Miller (1999) looked at the impact on test scores of three frequently utilized accommodations: allowance of extra time, use of a bilingual dictionary, and translation of directions. The results showed a general inconsistency in test score impact within and across the accommodations. In some cases, accommodated students scored significantly higher, in others lower, and in others, there was no significant difference. Miller, et al. view these inconclusive results as indicating the need for caution in selecting accommodations and they recommend examination of an accommodation's potential impact on scores before making any one accommodation available. Similarly, as a result of a study of ELL participation in state tests in Minnesota, Spicuzza, et al. (1997) see a need for close examination of the potential impact of specific accommodations: "The empirical evidence supporting accommodations for [ELLs] in a testing environment is scarce and should be researched. The best way to examine the outcomes of accommodations is for districts and [SEAs] to track student outcomes and to decide upon valid and allowable accommodations" (p. 10).

Testing in the Native Language

As a means of accommodating ELLs, testing in the native language can be useful in providing a more accurate appraisal of a student's knowledge of the content tested, i.e., one that is not influenced by the student's limited English proficiency. Although use of an interpreter is sometimes allowed as an accommodation, formal assessment in the native language is best conducted through the use of a written translation or adaptation of the original version of the test (Stansfield, 1996). A translated test is one where the same exact content is rendered into a non-English language. The standard test and translated test then differ only in language, not in content.

An adaptation is a modified version of the standard assessment. Due to the nature of some tests, adaptation is required in order for the standard test to be appropriately rendered into a non-English language; adaptation involves removing some items and replacing them with others that are more valid for the examinee population. However, adaptation affects the comparability of raw scores of the standard and adapted versions, and necessitates appropriate statistical adjustments to ensure score comparability. The change in test content raises validity concerns, especially if a substantial number of items are changed. As a result, it becomes necessary to demonstrate the equivalence of the constructs measured by the standard and adapted instruments. Because of this, adaptation is rarely used in state assessments. Instead, tests whose validity and comparability may change if translated or adapted, are simply not translated or adapted at all.

While the distinction between translated and adapted tests is important, even translated tests normally require minor adjustments to accommodate the language of the non-English version.

Other issues to be considered in offering translated tests include whether the original test is translatable and whether the translated version is appropriate for any one student. Cost is also an issue, just as it is with the creation of alternate assessments. A central issue in considering the cost efficiency of a translated test is the number of students that may benefit from it. Cost and numbers have restricted the creation of translated versions in languages other than Spanish, in most states that translate tests.

Not all students who are eligible to receive a translated test will actually choose it over the standard test in English. Often, such students are not fully literate in their native language. Because of this, bilingual test booklets are often used (Stansfield, 1997; Stansfield & Kahl, 1998; Liu, Anderson, Swierzbin & Thurlow, 1999).

The literature regarding accommodations identifies several states that do provide translated tests. Lara and August (1996) identified 12 states that were administering, piloting, or planning statewide assessments in languages other than English in 1994. Rivera and Vincent (1997) found that New York and New Mexico offer translated versions of high school graduation tests. Stansfield (1996) noted that Rhode Island offers translated tests in four languages for grades four, eight, and ten. Lachat and Brown (1998) report that Massachusetts uses translated versions of its state tests at the fourth, eighth, and tenth grade levels.

Generally, the literature on translated and adapted tests treats the two the same and reflects a failure to differentiate the degree of technical concerns that come into play when considering these two options for assessing content knowledge in the native language. Hambleton (1994) has led the development of an international set of guidelines for test translation and adaptation. These guidelines outline a variety of technical concerns, and suggest a variety of techniques for dealing with them. Sireci (1997) has reviewed statistical techniques for linking tests across languages. Olson and Goldstein (1997) point out that non-English versions of assessments are generally not available in most languages, and that opinions on technical issues, such as score comparability, are mixed. Technical concerns, whether well founded or not in the context of specific state assessments, may partly explain why only a handful of states translate their tests.

Alternate Assessments

An alternate assessment may be considered an assessment that is acceptable for a designated purpose. In this case, the purpose is to serve as a surrogate for the standard assessment, when use of the standard assessment would clearly not be suitable for the examinee.

Efforts to meet Title I requirements for the assessment of ELLs include development of alternate assessments to be administered to ELLs for whom the regular assessment is considered inappropriate. The 1997 Amendments to the Individuals with Disabilities Education Act (IDEA) require that alternate assessment be used for students with disabilities who cannot participate in the standard assessment program. This has resulted in recent efforts on the part of states to develop and implement appropriate alternate assessment programs for students with disabilities (Olsen, 1998). From Olsen's description of the various state efforts to meet requirements, it is clear that there is wide variability among the states regarding the standards upon which the alternate assessments are based, the characteristics of the students to be given alternate assessments, and the degree to which the alternate assessments are a part of the overall assessment system. While the development of alternate assessments for ELLs is not yet so advanced, it is likely that it will follow a path similar to that followed for students with disabilities. The variability described by Olsen will probably characterize state efforts to provide alternate assessments for ELLs.

When taken in the place of the regular assessment, alternate assessments can provide many advantages, such as allowing students to demonstrate their skills and knowledge in meaningful ways (NASBE, 1997). Such measures as portfolio assessments, long-term projects, and performance tasks are likely to measure skills that policymakers want students to develop. In contrast to traditional standardized tests, alternate measures can be designed to test content knowledge and skills that are not easily adaptable to traditional test item types. Alternate assessments can also be designed to test a student over a longer period of time, which can result in a test score that is more meaningful and accurate. Alternate measures can allow flexibility in modes of expression, thus lessening the impact of language barriers for ELLs.

Concerns regarding the use of alternate assessments surround the question of the degree to which the assessment is not parallel to the standard assessment. Because alternate assessments do not test the same content or standards as the standard assessment, the comparability of the scores resulting from an alternate assessment with scores from a standard assessment is limited, as is the degree to which the scores can be used in accountability measures.

There are also concerns regarding the amount of resources required to develop and implement appropriate alternate assessment systems. Such assessment measures as portfolio and performance assessments are likely to be less efficient in terms of time and personnel resources than traditional standardized assessments (NASBE, 1997). Similarly, a great deal of time and personnel resources are required for the proper development and implementation of alternate assessments that are parallel in all aspects to the standard assessment. Furthermore, the creation of strictly parallel alternate assessments may not always be desirable.

CCSSO (1997) data for the 1996-1997 school year indicate that 11 states reported offering alternate assessments during the 1996-97 school year. For the 1997-1998 school year, 13 states reported offering alternate assessments.

Score Reporting

Efforts to provide equitable education for all students have emphasized accountability at state and local levels (LaCelle-Peterson & Rivera, 1994). A critical element in accountability measures is the provision of data from student scores on state assessments. Page 4 of this report lists nine decisions that may be based on test scores.

Because test results have an impact on educational policy and practice, the inclusion of assessment scores of all students, including ELLs, is crucial (O'Malley & Pierce, 1994). Score reporting involves both aggregation and disaggregation. When ELL scores are aggregated they are included in state, district, and local totals. As such, they affect the mean (average) scores for the state, district, and school. When ELL scores are disaggregated, they are reported separately for the state, district, and school. Disaggregated scores for ELLs would indicate the mean scores for all ELLs that took a test. Disaggregation permits a comparison of mean scores for different classifications of student. Common classifications are by sex, race, and special needs status, such as ELL or learning or physically disabled. Good score reporting practice involves both aggregation and disaggregation of ELLs' scores. Under such circumstances, ELLs' scores are included in state, district, and school means. The mean scores for each group are also reported.

With the approach of the 2000-2001 school year, the legislated deadline for the implementation of comprehensive assessment programs, all states need to establish policies that include ELL scores in all state reports.

III. Research Questions

As stated in the introduction, the purpose of this study was to document inclusion, exemption, and accommodation policies related to English language learners in state assessment programs. In order to obtain this information, we collected information from state policy documents in four areas: inclusion/exemption policies, accommodation policies, score reporting, and alternate assessments. Research questions for each area are as follows.

Inclusion/Exemption Policies

1) How do states define and identify ELLs?
2) Which and how many states have developed inclusion/exemption policies?
3) Which and how many states have established a time limit on the number of years that an ELL may be exempted from taking state assessments?
4) In cases where exemption is allowed, how long may ELLs be exempted from taking state assessments?
5) What criteria do states establish to determine whether an ELL should be exempted from participating in the state assessment program?
6) Do states specify who should make the decision to exempt a student from participating in the state assessment?
7) If yes, whom do they specify should make the decision?

Accommodation Policies

8) Which and how many states have developed policies on the use of accommodations with ELLs?
9) Which and how many states have established criteria to determine whether an ELL should receive accommodations?
10) What criteria do states use to determine whether an ELL should receive accommodations?
11) How many states specify who should determine whether an ELL should receive accommodations?
12) Who do states specify should determine whether an ELL should receive accommodations?
13) Which accommodations are allowed by states for ELLs?
14) Which accommodations are prohibited by states for ELLs?

Score Reporting

15) What impact, if any, does the use of accommodations have on the inclusion of ELL test scores on state, district, and school totals?

Alternate Assessments

16) Are ELLs permitted to take alternate assessments?
17) Do states specify which measures are acceptable?
18) What kinds of alternate assessments are used by states?

Prior to collecting state policies, we determined that the answers to these questions would permit us to more broadly evaluate the qualitative aspects of state policies. In particular, after gathering such data, we wanted to be able to evaluate how effectively state policies address the needs of ELLs.

IV. Methodology

This study is unique in that, unlike previous studies of ELL inclusion and accommodation policies (Rivera, et. al., 1997; CCSSO, 1997), it is based on primary instead of secondary sources. Through their Annual Survey of State Student Assessment Programs (SSAP), the Council of Chief State School Officers (CCSSO) annually compiles data similar in scope to that collected for this study. Though both the CCSSO survey and this policy analysis report on similar information, there is a significant difference in the way the data were gathered. Whereas the CCSSO relies on state assessment directors to complete a survey instrument, the information in this study is the result of an analysis of state documents submitted directly by the states. The consistent application of a common schema to analyzing and reporting state policies helps ensure the reliability of the findings and the validity of the conclusions in this study.

The use of primary sources is important for a variety of reasons. First, if the information collected and reported in a study is to be believable, it is important that it be verified. Second, sometimes researchers confuse the existence of certain practices with formally stated policy. Although certain practices may exist, their presence may not apply throughout a state. Third, sometimes guidelines are conveyed by word of mouth. However, policy disseminated orally may be implemented inconsistently. On the other hand, written guidelines that are distributed have the force of policy and are much more likely to be implemented in a relatively uniform way. Fourth, when individuals report their policies, they do so in their own terms. When a single researcher or research team reports policies, terms are consistently and uniformly applied over all documents. This facilitates improved comparisons across states.

Our methods involved an analysis of state policy documents as opposed to self-reported data from state officials. After studying and summarizing the policies based on actual documents, we requested that state officials verify our summary of their state policies. In keeping with our focus on written policies, any changes to be made to a state report had to be supported by documentation.

Collection of Source Documents

For this study, our first step was to collect state policies from the Council of Chief State School Officers (CCSSO) and from state web sites in order to learn about the most recent policies concerned with the inclusion, exemption and accommodation of ELLs in state assessment systems. We found that state web sites often did not contain the latest version of the state policy; therefore, we used only the hard copy policy documents sent to us by the states. We also found that CCSSO policies and data were typically two to three years old.

Because updated policies were not available for all states, we requested the most current documentation of state assessment policies for ELLs available. This request went out to state Title VII Bilingual and/or ESL Directors. In states where the Bilingual/ESL Director position was in transition, the request was made directly to the state assessment director.

The request was sent in May 1999. The packet sent included two letters, one from Charlene Rivera (the study's principal investigator) explaining the project and asking for participation, and another letter from Delia Pompa (director of OBEMLA) that emphasized the importance of the study. The packet also included a listing of the written materials to be sent. (A copy of the information in this packet can be found in Appendix A.) Information requested included the following:

- The state assessment handbook which includes the policy for exempting, assessing, and accommodating ELLs;
- Any state assessment policy memorandum applicable to and not included in the state assessment handbook;
- Any guidance the state provides to districts, schools, or test administrators regarding the implementation of policies

for exempting, including, or accommodating ELLs; and

- Any user-friendly documents the state had produced to help districts and schools implement state assessment policies for ELLs.

Extensive follow-up contacts were made to SEA Title VII directors of states that did not respond by the May 21 deadline, with the result that nearly all states' documents were received by July 1999.

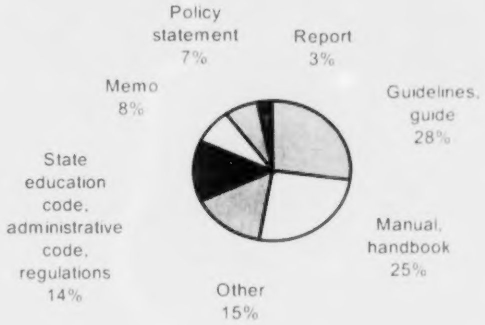
The number of documents sent by each state ranged from 0 to 37. Two hundred thirty documents were supplied by the states, totaling more than 6000 pages. As documents arrived, we skimmed their content and classified them as being very useful, somewhat useful, or irrelevant to the questions the study was designed to address. Of the 230 documents we received, 131 (57%) were not relevant to the study or contained either duplicate or outdated information. The remaining 99 documents were categorized as being either somewhat useful (75 documents) or very useful (24 documents).

Classification of Documents

The type of document used to convey their policies varies from state to state. Documents ranged from one-page memos to test manuals as long as 182 pages. The pie chart in Figure 1 above divides these documents by type. The most common document types include guides, guidelines, manuals, and handbooks. They account for 53% of the relevant documents. Additional document types in order of frequency were state education codes, administrative codes and regulations (14%); memos (8%); policy statements (7%); and reports (3%). The remaining category, which includes 15% of the documents, is labeled "other." The fact that this category is relatively large indicates the variety of documents that states use to explain their policies. Examples of "other" document types are newsletters, bulletins, letters and teacher oriented handouts.

Once we had identified documents with relevant information, we began classifying the kinds of information that states addressed in their policies.

Figure 1. Types of relevant documents submitted by SEAs by number and percent (N=99 documents)



The topics that these documents addressed are found in Figure 2, along with the percentage for each topic. Of the relevant documents, 64 had information related to the inclusion of ELLs. Accommodations were addressed in 51 of these documents. The following related information was also found to be included, but in fewer documents: definition of an LEP student (41 documents), alternate assessments (26 documents), score reporting (21 documents), and scoring (16 documents).

Analysis of Documents

The policy analysis began with the examination of documents from a sample of states that were believed to represent the range of LEP assessment conditions found throughout the United States.

First, an individual state report -- *State Inclusion and Accommodation Policies for LEP Students* (henceforth referred to as the "state report") -- was developed to document the policies for each state. The report format guided project staff to look for certain information in state documents. Data entered into the individual state report automatically went into a database which allows information across states to be summarized, compared, and synthesized.

Individual state reports are found in Appendix D.

Section one of the report contains eight items. The eight items provide an overview of the state policies regarding inclusion, exemption, accommodation, score reporting, and alternate assessments.

Section two of the report focuses on inclusion policies. It contains three items. The first is the operational definition used by the state to identify ELLs.[5] This was not among the initial areas of focus of the analysis, but came to be a matter of issue as the researchers noted the wide variation in definitions contained in the documents submitted. The other two items focus on the inclusion/exemption decision-making process; one focuses on the criteria used in making the decision, while the other focuses on the person(s) designated to make the decision.

Section three of the report focuses on accommodation policies. It contains three items. The first two items address the accommodation decision-making process. Similar to section two, one item focuses on the criteria used in making the decision, while the other focuses on the person(s) designated to make the decision.

The third item provides various types of information. It identifies the extent to which the state allows and/or prohibits accommodations, and describes the degree to which any one accommodation is allowed and/or prohibited. This item also identifies score reporting policies for accommodations.

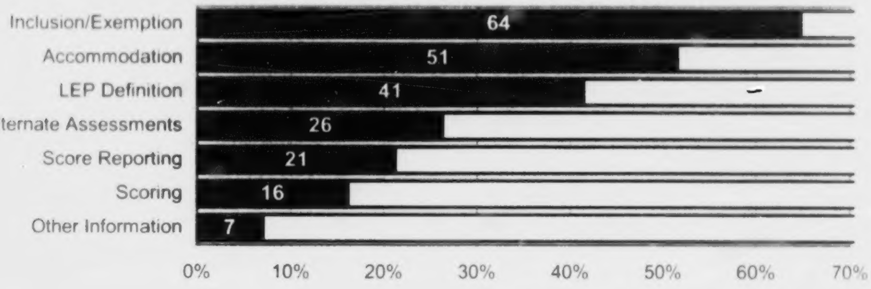
Finally, section four lists the documents provided. Each document's title, publication date, document type, number of pages, content focus, and degree of usefulness were recorded on this page.[6]

The state report was refined through a process of document review. Reports from a small number of states were generated. These reports were reviewed by project staff and by an external advisor (Diane August). As a result of this review process, revisions were made to the format of the state report.

Data and explanatory information for each state were then entered into the revised state reports. As each state report was completed, a second researcher reviewed it for accuracy and intelligibility.

In August 1999, individual state reports were generated and sent to the appropriate SEA Title VII or State Assessment Director with a request that he or she check the report for accuracy. (See Appendix A for a copy of

Figure 2. Topics addressed in relevant state documents by number and percent of states (N=99 documents)



---

[5] It should be noted that information requested from the states did not specifically include the operational definition of ELL used in the state.

[6] Appendix B lists the relevant documentation that was submitted by each state, providing each document's title, type, and date of publication. Further information about these documents can be found in Appendix D in Section 4 of the individual state reports.

this request.) If a correction was necessary, the SEA Title VII director was asked to indicate the location of the information in the state policy that was the basis for the change in the analysis, or to supply the state document, if a document had not been previously submitted. Only changes supported by documentation were made to the state reports.

By October 8, 1999, 24 states had checked their reports and returned them. Ten of these states had made changes on the report but had not submitted the corresponding state documentation. Follow-up email was sent to remind the Title VII director that documentation was needed. Six of the ten states responded to this request. Subsequent to the October 8 deadline, follow-up phone calls were made to the 25 states that had not yet responded to our email request or our letter requesting that they verify the report for their state.

By November 1, 39 states had responded. Of these, 13 state reports needed no changes (AL, AZ, CA, KS, MI, MN, MO, MS, OK, PA, WI, WV, and WY), 16 needed minor changes (DC, ID, IL, IN, LA, MD, ME, MA, MT, NH, NJ, NM, NC, VA, VT, and WA), and 10 were reported by the Title VII director to need changes, but appropriate documents were not submitted (AK, CT, DE, GA, HI, NV, NY, OH, OR, and UT). No response was submitted from the remaining ten states.

After responses and any accompanying additional documentation were received from Title VII directors, all available documentation was reviewed, and the state report was revised as appropriate.

Early February 2000, state reports were sent to State Assessment Directors for review. As with previous appeals, each packet included a letter from the principal investigator which explained the nature of the study and asked for input regarding the state report and relevant documentation to support the state assessment director's revisions. Also included was a form that asked the individual evaluating the report to indicate whether any changes were to be made and to provide contact information and a report of LEP policies specific to each state.

Three weeks after the initial request for reviews, requests were sent out to states yet to respond (AZ, CA, CO, CT, DC, GA, HI, ID, ME, MN, MO, ND, NJ, NM, NY, OR, RI, TN, TX, UT, VT, VA, and WY). The material sent out to these outstanding states was identical to that sent out previously, with the exception of the letter, which served as a reminder notice to reinforce return of the reports. All requests were sent to the states by fax on the same day, February 24, 2000.

By mid-March 2000, 35 states had checked their state reports and returned them (AL, AK, AR, AZ, CA, CT, DE, FL, GA, IL, KS, KY, LA, MA, MD, ME, NI, MN, MS, MT, NC, NH, NJ, NV, NY, OH, OK, PA, SC, SD, TX, VA, WA, WI, and WY).

Twenty-three of these states indicated that revisions were to be made to their state reports. However, only 18 states submitted relevant documentation.

In mid-March 2000, the remaining states were contacted in order to obtain supporting materials. Six of those states responded by sending in relevant documentation or providing clarification of comments on their state reports.

Also interesting to note is that out of the ten states with the highest ELL enrollment (AZ, CA, FL, IL, MA, NJ, NM, NY, TX, and WA), nine reviewed their reports and returned them.

The next section of this report provides an analysis of state inclusion, exemption, and accommodation policies related to ELLs for school year 1998-1999. The analysis is based on information entered in state reports and analyzed across all states in the database.

V. Results

Identifying ELLs

Before analyzing policies regarding the inclusion, exemption and accommodation of ELLs, we consider how states identify the population for whom these policies are designed. Each state is responsible for identifying its students with special needs, in this case, students with limited English proficiency (LEP). The identification of such students is substantially influenced by the state's definition of LEP.

Our review indicates that 41 states provide a definition of limited English proficiency in their assessment policy documents. Eight states (AZ, CA, ME, OH, OR, RI, TN, and VT) have policies that do not include a definition of LEP, although such a definition may exist in other state documents, which were not provided.

As shown in Figure 3, the most commonly used definition of limited English proficiency is used by nine states (DE, KY, LA, MS, ND, OK, SD, VA, and WY). Based on the definition found in the IASA legislation,[7] "A limited English proficient individual is one who:

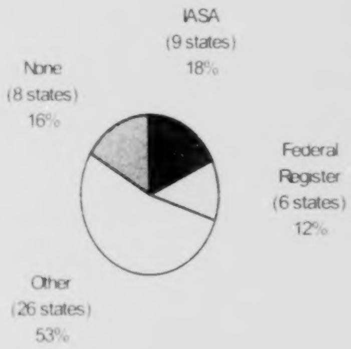
a) was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or

b) is a Native American, or Alaska Native, or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English proficiency; or

c) is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and

d) who has sufficient difficulty speaking, reading, writing, or understanding the English language, and whose difficulties may deny such an individual the opportunity to learn successfully in classrooms where the language of instruction is English, or to participate fully in society."

Figure 3. ELL definition used by each state (N=49 states with statewide assessments)



Another similar definition used by six states (AL, AR, FL, MT, NC, and WV) is -a modification of this definition that these states have attributed to the *Federal Register*. This definition has essentially the same wording as the IASA definition, but it does not refer to migrant students. Because this definition is not an exact match of the definition that is found in the current IASA legislation and the states that use it refer to it as coming from the *Federal Register*, the definition is referred to in this report as the *Federal Register* definition.

The definition of limited English proficiency provided by 26 states differs widely in content (AK, CO, CT, DC, GA, HI, ID, IL, IN, KS, MA, MD, MI, MN, MO, NH, NJ, NM, NV, NY, PA, SC, TX, UT, WA, and WI). The range is from definitions that are the same or similar to those found in the 1994 IASA and the *Federal Register* to definitions found in legislation prior to IASA. For example, Pennsylvania's policy states that LEP students are "students who do not understand, speak, read or write English," and Missouri's policy states that they are "students assessed as having English skills below their age appropriate grade level."

---

[7] United States Congress (1994)

Inclusion/Exemption Policies

As indicated in IASA[8], Section 1111, states are required to develop policies that address the inclusion of ELLs in their state assessment programs by the 2000-2001 school year. In the state report, Section 1.1 indicates whether a state has a policy regarding the inclusion/exemption of ELLs in state assessments.

According to the documents submitted by each state and the District of Columbia, 48 out of 51 states (94%) have policies that address the inclusion or exemption of ELLs in state assessments. Iowa and Nebraska do not offer statewide assessments; therefore, they have no relevant policy statements and are not included in the state counts. Alaska does have statewide assessments, yet it does not have an ELL inclusion or exemption policy.

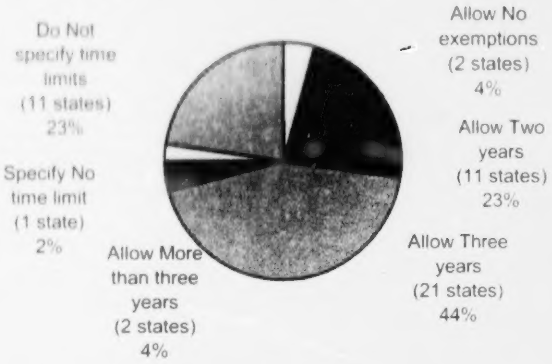
Of the 48 states with inclusion or exemption policies, 46 states allow exemptions from the regular assessment. Of these 46, six states require that students take an alternate assessment (AR, IL, MT, NM, TX, and WI). The remaining two states, California and Ohio, require all students to take the state assessments, regardless of background or level of English language proficiency.

Time Limits

As indicated in the *Review of Literature*, states often specify the number of years during which an ELL may be exempted from participation in the assessment program.

Section 1.2 in the state report indicates whether ELLs are allowed exemptions for a specific amount of time. Figure 4 illustrates the number of states that have inclusion or exemption policies and the maximum number of years that exemptions apply, if they are allowed. In some states, the time limit is not explicitly identified. Instead, the policy may specify that a student may be exempted for one administration of the test. In effect, this exempts the student until (s)he reaches the next grade at which there is a statewide test, which can range from one to four years.

Figure 4. Maximum number of years exemptions are allowed by number and percent of states
(N=48 states with inclusion/exemption policies)



As shown in Figure 4, 35 of the 46 states that allow exemptions have policies regarding exemption time limits. The maximum period of exemption from participating in statewide assessments varies from two years to more than three years. The greatest number of states (21) allow a maximum exemption of three years, while 11 states allow a maximum two-year exemption.

It is possible for a student to receive an exemption for more than three years in two states (NH and TN). In Tennessee, though state documents do not specify the grades in which students are tested, state policies indicate that testing for ELLs can be postponed until later in the student's high school years. In New Hampshire, a student exempted from testing in grade six would not encounter statewide tests until grade ten, a period of four years.

One state -- Hawaii -- specifies that there is no time limit on exemptions, and that a student's level of English language proficiency supercedes any time considerations. Eleven states do not address the issue of time limits on exemptions.

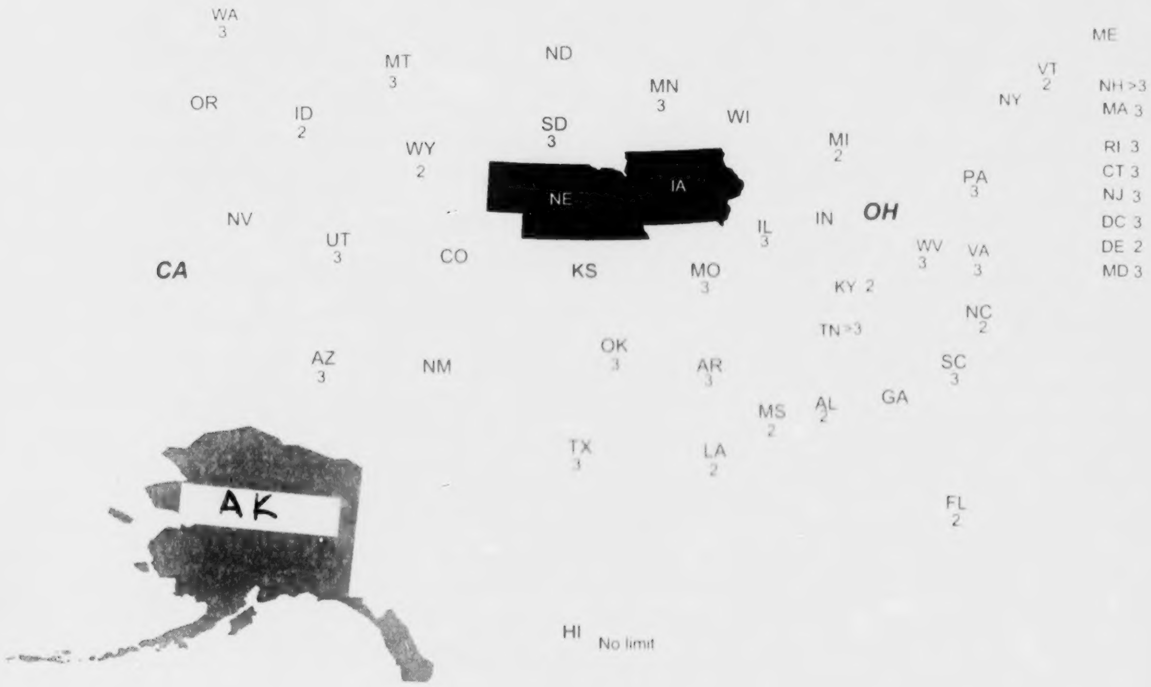
Figure 5 provides a map of the United States that summarizes the above information. It identifies the states with inclusion/exemption policies and indicates their time limits for allowing exemptions.

---

[8] United States Congress (1994)

Figure 5. Inclusion/Exemption Policy Overview

▨ State has no inclusion/exemption policy. (1)
■ State has no statewide assessments. (2)
State has an inclusion/exemption policy. (48)



- Number in each state represents maximum number of years an ELL may be exempted from state mandated assessments; N=34
- States with numbers allow exemptions and specify a time limit; Hawaii's policy specifies that there is no time limit for exemptions
- States with no number specify no time limit for exemptions; N=11
- States in bold (CA and OH) allow no exemptions; N=2

Inclusion/Exemption Criteria

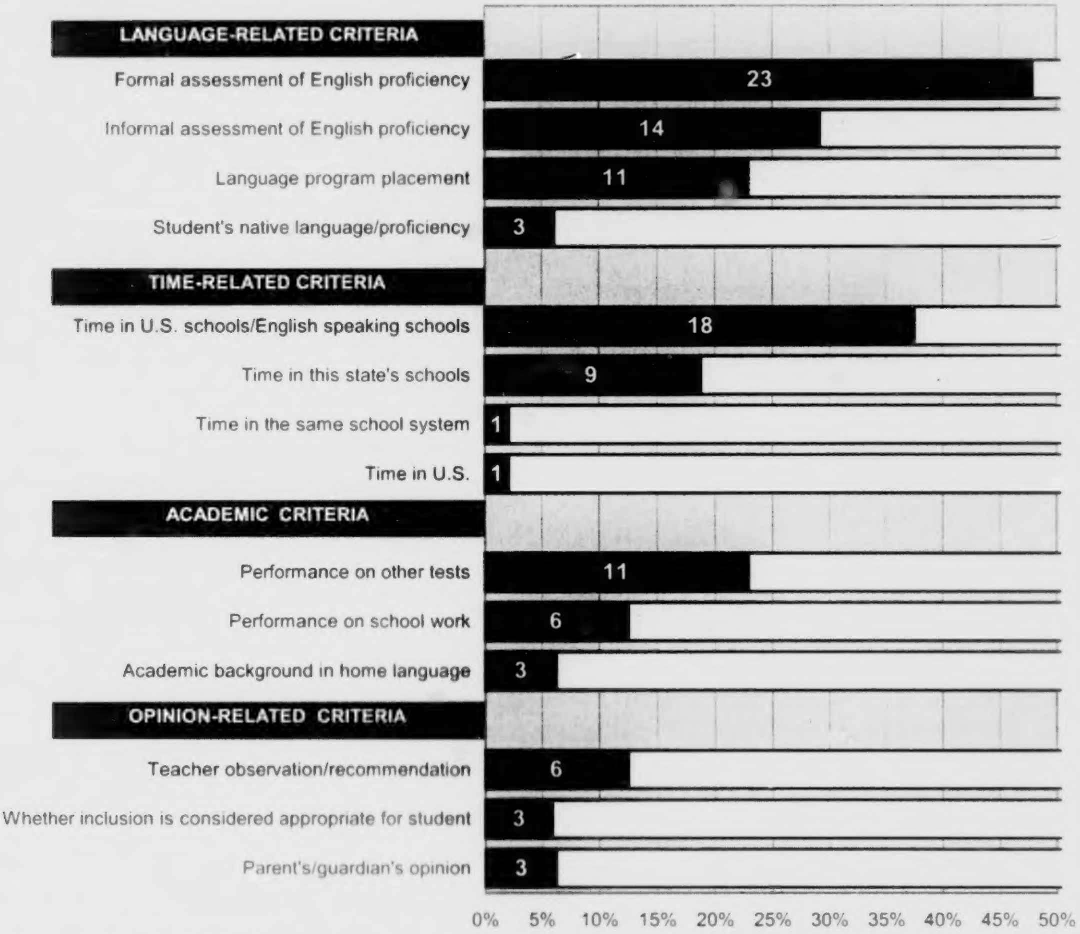
Inclusion or exemption policies in each state are based on specific criteria. These criteria can take many forms. The state report, Section 2.10, indicates the criteria that are used to determine if individual ELLs are to be included in or exempted from the state assessment program.

Figure 6 summarizes the criteria used by states. Table 1 provides state-by-state inclusion/exemption criteria. Only three states with inclusion or exemption policies do not address criteria (CA, ME, and OH). California and Ohio omit criteria because they do not allow exemptions. In Maine, exemptions are allowed, yet state policy does not specify the criteria schools should use in making decisions. The remaining 45 states have policies that outline criteria for inclusion/exemption decisions.

As Figure 6 illustrates, the most common criteria are those related to English language assessment and time spent in an English-medium environment.

Formal assessment of English proficiency is the most widely used criterion in considering ELLs for exemption. Table 1 identifies the 23 states that consider this criterion (AL, CO, DC, DE, GA, HI, IL, IN, KS, MD, MS, NC, ND, NJ, NM, NV, OR, SC, VA, WA.

Figure 6. Inclusion criteria by number and percent of states
(N=48 states with inclusion/exemption criteria)



Note: Some states use multiple criteria; therefore, the total of the bar graphs is greater than 48.

Table 1. Inclusion/exemption criteria by state
(Y=Yes, the state considers given criterion.)

			Inclusion/Exemption Criteria															
			Language-related criteria				Time-related criteria				Academic criteria			Opinion-related criteria				
State	State has inclusion policy	State has established criteria	Formal assessment of English proficiency	Informal assessment of English proficiency	Language program placement	Student's native language/proficiency	Time in U.S/English speaking schools	Time in this state's schools	Time in the same school system	Time in U.S.	Performance on other tests	Performance on school work	Academic background in home language	Teacher observation and recommendation	Whether inclusion is appropriate	Parent's/guardian's opinion	Number of criteria considered
AK	NO	NO	(Does not have inclusion/exemption policy.)														
AL	YES	YES	Y	Y				Y			Y	Y		Y			6
AR	YES	YES		Y				Y			Y	Y		Y			5
AZ	YES	YES						Y									1
CA	YES	NO	(Does not allow exemptions.)														
CO	YES	YES	Y	Y	Y												3
CT	YES	YES			Y												1
DC	YES	YES	Y				Y										2
DE	YES	YES	Y	Y				Y						Y			4
FL	YES	YES			Y												1
GA	YES	YES	Y		Y										Y		3
HI	YES	YES	Y		Y												2
ID	YES	YES					Y										1
IL	YES	YES	Y		Y			Y									3
IN	YES	YES	Y	Y													2
KS	YES	YES	Y														1
KY	YES	YES					Y										1
LA	YES	YES					Y										1
MA	YES	YES			Y	Y	Y										3
MD	YES	YES	Y					Y						Y			3
ME	YES	NO	(Does not recommend inclusion criteria.)														
MI	YES	YES					Y									Y	2
MN	YES	YES					Y			Y							2
MO	YES	YES		Y				Y							Y		3
MS	YES	YES	Y	Y				Y			Y	Y				Y	6
MT	YES	YES					Y										1
NC	YES	YES	Y						Y								2
ND	YES	YES	Y								Y						2
NH	YES	YES		Y													1
NJ	YES	YES	Y		Y		Y										3
NM	YES	YES	Y														1
NV	YES	YES	Y		Y												2
NY	YES	YES									Y						1
OH	YES	NO	(Does not allow exemptions.)														
OK	YES	YES						Y									1
OR	YES	YES	Y			Y										Y	3
PA	YES	YES					Y										1
RI	YES	YES		Y													1
SC	YES	YES	Y		Y		Y										3
SD	YES	YES					Y										1
TN	YES	YES									Y						1
TX	YES	YES		Y	Y	Y	Y				Y	Y					6
UT	YES	YES					Y										1
VA	YES	YES	Y	Y							Y	Y	Y		Y		6
VT	YES	YES					Y				Y						2
WA	YES	YES	Y				Y										2
WI	YES	YES	Y	Y													2
WV	YES	YES	Y	Y			Y				Y		Y	Y			6
WY	YES	YES	Y	Y			Y				Y	Y	Y	Y			7
Total "YES"	48	45	23	14	11	3	18	9	1	1	11	6	3	6	3	3	

BEST COPY AVAILABLE

WI, WV, and WY). Formal assessment means administering a standardized test of English language proficiency to the student. The test administered varies by state, with some states specifying an acceptable test or tests, and other states not specifying the test.

Closely related to the most popular criterion, formal assessment of English proficiency is the use of informal English assessments, which are also relatively popular. It is considered by 14 states (AL, AR, CO, DE, IN, MO, MS, NH, RI, TX, VA, WI, WV, and WY).

Another criterion related to English proficiency is whether or not a student is receiving special language services (such as bilingual education or ESL instruction). This criterion, called "Program Placement" in Figure 6 and throughout this report, is considered by 11 states (CO, CT, FL, GA, HI, IL, MA, NJ, NV, SC, and TX).

Other widely used criteria are related to the amount of time a student has spent in U.S. schools or English speaking schools. Eighteen states consider this criterion (DC, ID, KY, LA, MA, MI, MN, MT, NJ, PA, SC, SD, TX, UT, VT, WA, WV, and WY). Other time-related criteria used to determine exemption status are 1) time spent in the state's schools, which is considered by 9 states (AL, AR, AZ, DE, IL, MD, MO, MS, and OK), 2) time spent in the U.S., which is considered by Minnesota, and 3) time spent in the same school system, which is considered by North Carolina.

Several states consider factors related to the student's academic abilities. Performance on other tests is considered by 11 states (AL, AR, MS, ND, NY, TN, TX, VA, VT, WV, and WY). Performance on schoolwork is considered by six states (AL, AR, MS, TX, VA, and WY). Teacher's observation and/or recommendation are considered by six states (AL, AR, DE, MD, WV, and WY). Policies in three states consider a student's academic preparation in the home language (VA, WV, and WY). In these three states, a student's strong academic background in the content areas included in the state's assessment program would support including the student in the assessment program rather than exempting him/her.

Another factor addressed in some state policies is the opinion of the individuals involved in making the exemption decision. This includes teacher judgment which Alabama, Arkansas and Delaware consider. In addition, a few states (MI, MS, and OR) have policies that explicitly state that the opinion of the student's parent or guardian should be considered, especially if the parent, guardian or student is opposed to including the student in the assessment. Three states refer to such a decision in broad terms. Georgia states that exemption is based on whether it is in the student's best interest, Missouri states that inclusion is appropriate when it provides instructionally useful information, and Virginia refers to the appropriateness of inclusion for the student.

Three states partially base their decisions on the student's native language (MA, OR, and TX). In all three states, if the student's native language is Spanish, there is a translated test available. (In addition, Oregon is developing tests in Russian.)

As shown on Table 1, the majority of states base their decision to exempt ELLs from state assessments on only one or two criteria. In fact, 17 states use only one criterion (AZ, CT, FL, ID, KS, KY, LA, MT, NH, NM, NY, OK, PA, RI, SD, TN, and UT), and 11 states use two criteria (DC, HI, IN, MI, MN, NC, ND, NV, VT, WA, and WI). There are 17 states that use more than two criteria. More than half of these states (9) use three criteria (CO, GA, IL, MA, MD, MO, NJ, OR, and SC). The others (8 states) use from four to seven criteria (AL, AR, DE, MS, TX, VA, WV, and WY).

The most common sole criterion is time spent in U.S. schools or English speaking schools. Of the 17 one-criterion states, seven use only this criterion (ID, KY, LA, MT, PA, SD, and UT). If we add the criterion of time spent in the state's schools, two additional states use time as their sole criterion (AZ and OK).

The remaining eight single criterion states use a variety of indicators: informal assessment of English proficiency (NH and

RI), formal assessment of English proficiency (KS and NM), placement in a special language program (CT and FL), performance on other tests (NY), and performance on a subtest of the actual state test (TN).

The 11 states that use two criteria are more likely to focus on English language proficiency than time-related criteria. Eight states consider formal assessment of English proficiency as one of their criteria (DC, HI, IN, NV, NC, ND, WA, and WI). The second criterion recommended by each of these states varies widely.

Interestingly, the three remaining two-criterion states do not include formal English assessment as one of their criteria, but do include time spent in U.S. schools or English speaking schools (MI, MN, and VT). There are three other two-criterion states that consider a time-related factor (DC, NC, and WA). In fact, these three states are the only two-criterion states that combine formal assessment of English with a time-related criterion. The District of Columbia and Washington focus on time spent in U.S. schools or English speaking schools. North Carolina focuses on time spent in the same school system.

Of the 17 states that consider more than two criteria, all but four include both time and proficiency criteria (CO, GA, OR, and VA). These four states do not consider time-related criteria.

In summary, the trend is for states to consider one or two criteria, usually focusing on time factors or English proficiency factors. If only one criterion is used, the preference is for time-related criteria, which nine states use (AZ, ID, KY, LA, MT, OK, PA, SD, and UT) rather than proficiency-related criteria, which four states use (KS, NH, NM, and RI). In contrast, when two criteria are used, more states include proficiency-related criteria (HI, IN, NV, ND, OR, and WI) than time-related criteria (MI, MN, and VT). Three states specify both proficiency and time as criteria (DC, NC, and WA). In states that consider more than two criteria, both language proficiency and time are used in all but four cases (CO, GA, OR, and VA). In each of these states, time-related criteria are not considered.

Finally, criteria related to academic factors (performance on other tests, teacher's observation and/or recommendation, academic background in home language and performance on school work) are among the criteria least often considered.

Inclusion/Exemption Decision-Makers

Decisions whether to include or exempt individual students must be made by someone. In the individual state reports, Section 2.9 indicates the person(s) designated by the state to make the inclusion/exemption decision.

Individuals who participate in the inclusion or exemption decision-making process in the 48 states with relevant policies are shown in Figure 7. Table 2 identifies the decision-makers in each state.

In summary, nine of the 48 states do not make any recommendations regarding who should make the participation decision. (Two of these states, California and Ohio, do not allow exemptions.) Of the remaining 39 states, school or district officials (25 states) and parents or guardians (20 states) play an important role in this process, participating as decision-makers in over 40% of the states.

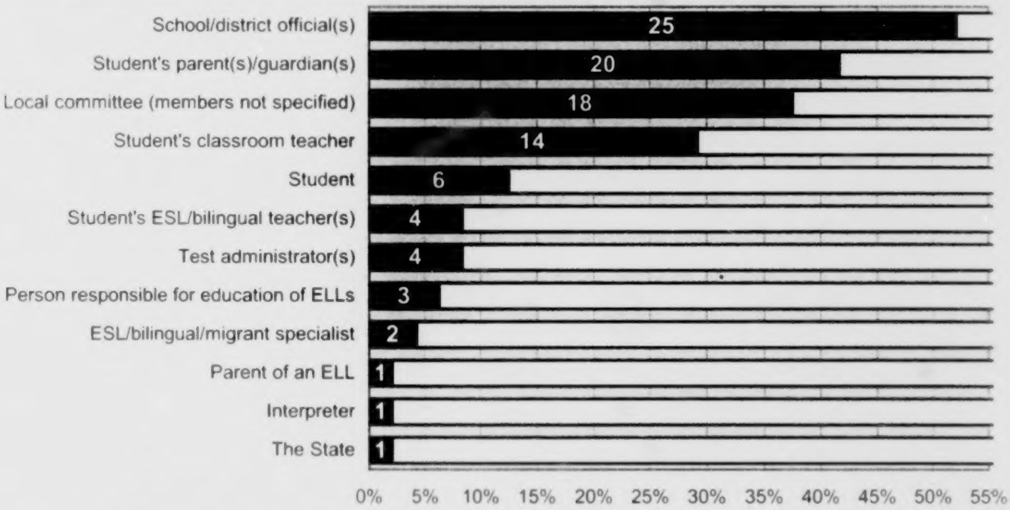
Classroom teachers are mentioned in state documents a little less frequently. Fourteen explicitly name the student's classroom teacher as a decision-maker (DC, DE, MD, ME, MN, MS, NH, NV, OR, TN, UT, VA, WA, and WV). ESL/bilingual teachers are only mentioned explicitly in four states (DC, DE, LA, and MS). Other language professionals are mentioned by four states (TX, VA, WA, and WV). Although the participation of teachers in this decision-making process, especially ESL/bilingual teachers appears low, it may actually be higher. Eighteen states depend on a local committee comprised of unidentified members to make the inclusion/exemption decision. The fact that state policies use such terms as the "student's academic team" or the "LEP committee" suggests that more ESL/bilingual teachers are actually involved. In Texas, the state policy identifies the specific members of the Language Proficiency Assessment Committee (LPAC).

Only a handful of state policies incorporate the student and test administrators in the decision-making process. Six states allow the student to participate in the decision-making process (GA, MD, MI, MS, OR, and TN). Four states mention the participation of test administrators (ID, LA, MS, and NM).

In Hawaii, the decision is determined solely on the basis of the state's policy, which specifies that a student must earn a specific score on a specific English language achievement test in order to be included in state tests.

Figure 7. Inclusion/exemption decision-makers by number and percent of states

(N=48 states with inclusion/exemption policies)



Note: Some states have multiple decision-makers; therefore, the total of the bar graphs is greater than 48.

In summary, state policies indicate that, with the exception of Hawaii, the inclusion or exemption decision is the responsibility of a team of individuals. In many states, however, it is unclear who participates on this team. As explained, 18 states mention local committees without specifying the members. Moreover, many of the states that mention school/district officials do not provide specific detail. In fact, three of these states rely solely on these unnamed officials (IN, NY, and WY).

Table 2. Inclusion/exemption decision-makers by state
(Y=Yes, the state recommends the person's participation.)

			Inclusion/Exemption Decision-Makers											
State	*State has inclusion policy*	*State has established decision-makers*	*School/district official(s)*	*Parent(s) or guardian(s)*	*Local committee (members not specified)*	*Student's classroom teacher(s)*	*Student*	*Student's ESL or bilingual teacher(s)*	*Test administrator(s)*	*Person responsible for ELL education*	*ESL/bilingual/ migrant specialist*	*Parent of an ELL*	*Interpreter*	*The State*
AK	**NO**	**NO**	(Does not have inclusion/exemption policy.)											
AL	YES	YES		Y	Y									
AR	YES	YES	Y	Y	Y									
AZ	YES	YES	Y	Y										
CA	YES	**NO**	(Does not allow exemptions.)											
CO	YES	**NO**	(Does not recommend inclusion decision-makers.)											
CT	YES	**NO**	(Does not recommend inclusion decision-makers.)											
DC	YES	YES	Y		Y	Y		Y						
DE	YES	YES	Y			Y		Y						
FL	YES	YES			Y									
GA	YES	YES	Y	Y			Y							
HI	YES	YES												Y
ID	YES	YES	Y						Y					
IL	YES	YES			Y									
IN	YES	YES	Y											
KS	YES	**NO**	(Does not recommend inclusion decision-makers.)											
KY	YES	YES			Y									
LA	YES	YES	Y	Y				Y	Y					
MA	YES	YES	Y											
MD	YES	YES	Y	Y	Y	Y	Y							
ME	YES	YES	Y	Y	Y	Y								
MI	YES	YES		Y			Y							
MN	YES	YES	Y	Y		Y								
MO	YES	**NO**	(Does not recommend inclusion decision-makers.)											
MS	YES	YES	Y	Y		Y	Y	Y	Y					
MT	YES	YES			Y									
NC	YES	YES		Y	Y									
ND	YES	**NO**	(Does not recommend inclusion decision-makers.)											
NH	YES	YES	Y	Y	Y	Y								
NJ	YES	YES			Y									
NM	YES	YES	Y		Y				Y					
NV	YES	YES	Y	Y		Y								
NY	YES	YES	Y											
OH	YES	**NO**	(Does not allow exemptions.)											
OK	YES	YES	Y											
OR	YES	YES		Y	Y	Y	Y							
PA	YES	**NO**	(Does not recommend inclusion decision-makers.)											
RI	YES	YES	Y	Y										
SC	YES	YES		Y	Y									
SD	YES	**NO**	(Does not recommend inclusion decision-makers.)											
TN	YES	YES			Y	Y	Y							
TX	YES	YES	Y							Y	Y	Y		
UT	YES	YES	Y			Y								
VA	YES	YES	Y	Y		Y				Y				
VT	YES	YES		Y	Y									
WA	YES	YES	Y	Y		Y					Y		Y	
WI	YES	YES			Y									
WV	YES	YES	Y	Y		Y				Y				
WY	YES	YES	Y											
Total "YES"	48	39	25	20	18	14	6	4	4	3	2	1	1	1

COPY AVAILABLE

Accommodation Policies

The use of accommodations is central to promoting the meaningful inclusion of ELLs in state assessments. In order to use accommodations appropriately, many factors must be considered. First of all, each state must consider the extent to which it will allow accommodations. For those states that choose to allow accommodations on some or all components of its assessment system, the next decision involves identifying which accommodations are deemed most appropriate. At this point, each state must also consider what effect, if any, the use of individual accommodations will have on its score reporting practices. Finally, state policy should indicate how decisions would be made for each individual student, in other words, who will make the accommodation decisions and what criteria they will base their decisions on.

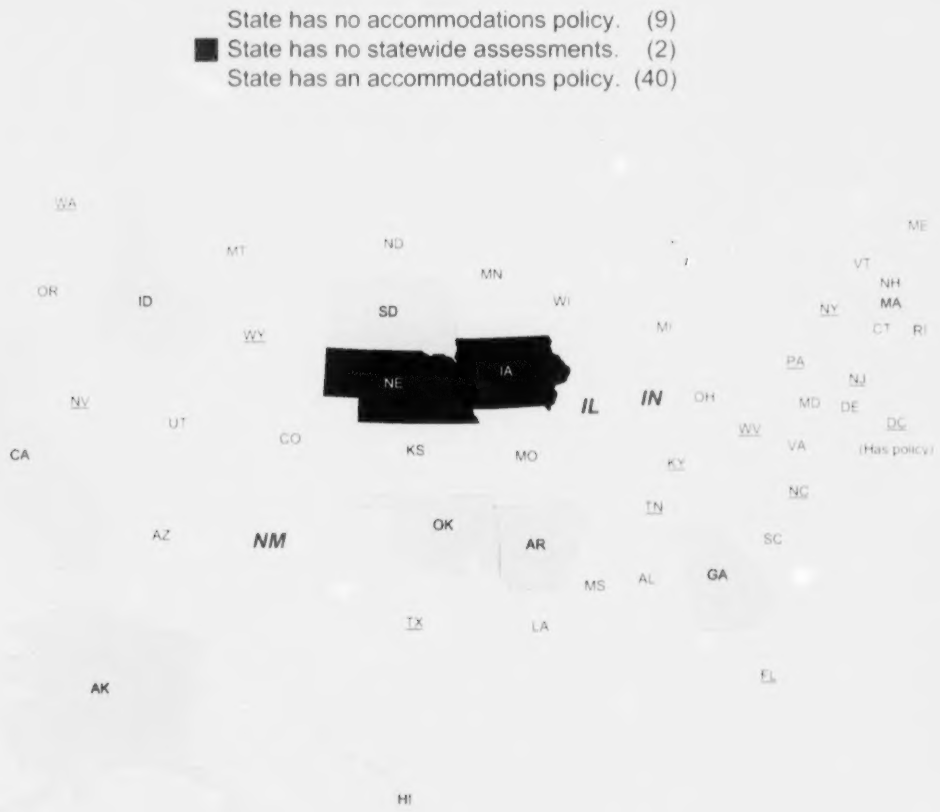
Our policy analysis covers these factors, and begins by answering the first question: to what extent are accommodations allowed and/or prohibited in each state's policy? This information can be found in Sections 1.4 and 1.5 of the state reports.

Of the 48 states with an inclusion or exemption policy, as shown in Figure 8, 40 have a policy regarding accommodations in state assessments for ELLs. Thirty-seven of these states allow accommodations on at least one test component. Thirteen of the states that allow accommodations also have policies that prohibit specific accommodations from being offered (DC, FL, KY, NC, NJ, NV, NY, PA, TN, TX, WA, WV, and WY). Three states (IL, IN, and NM) do not allow any accommodations. In addition, Illinois and Indiana make a point of prohibiting the translation of tests. New Mexico, on the other hand, allows test translation on one of its components.[9]

---

[9] The fact that these three states address test translation independently suggest that they view test translation as something different from an accommodation.

Figure 8. Accommodation Policy Overview


State has no accommodations policy. (9)
■ State has no statewide assessments. (2)
State has an accommodations policy. (40)
WA
OR
ID
MT
ND
MN
WI
MI
ME
VT
NH
MA
NY
CT
RI
SD
WY
NE
IA
NV
UT
CA
CO
KS
MO
IL
IN
OH
PA
NJ
MD
DE
DC
(Has policy)
WV
VA
KY
NC
TN
SC
AZ
NM
OK
AR
MS
AL
GA
TX
LA
FL
AK
HI

- States in bold allow no accommodations; N=3 (IL, IN and NM)
- Remaining states with a policy allow accommodations; N=37
- Underlined states prohibit at least one (but not all) accommodation(s) N=13 (DC, FL, KY, NC, NJ, NV, NY, PA, TN, TX, WA, WV, and WY)
- New Mexico and Massachusetts translate tests, although New Mexico does not allow accommodations and Massachusetts, has no accommodation policy; Massachusetts also has untimed tests

BEST COPY AVAILABLE

Accommodation Criteria

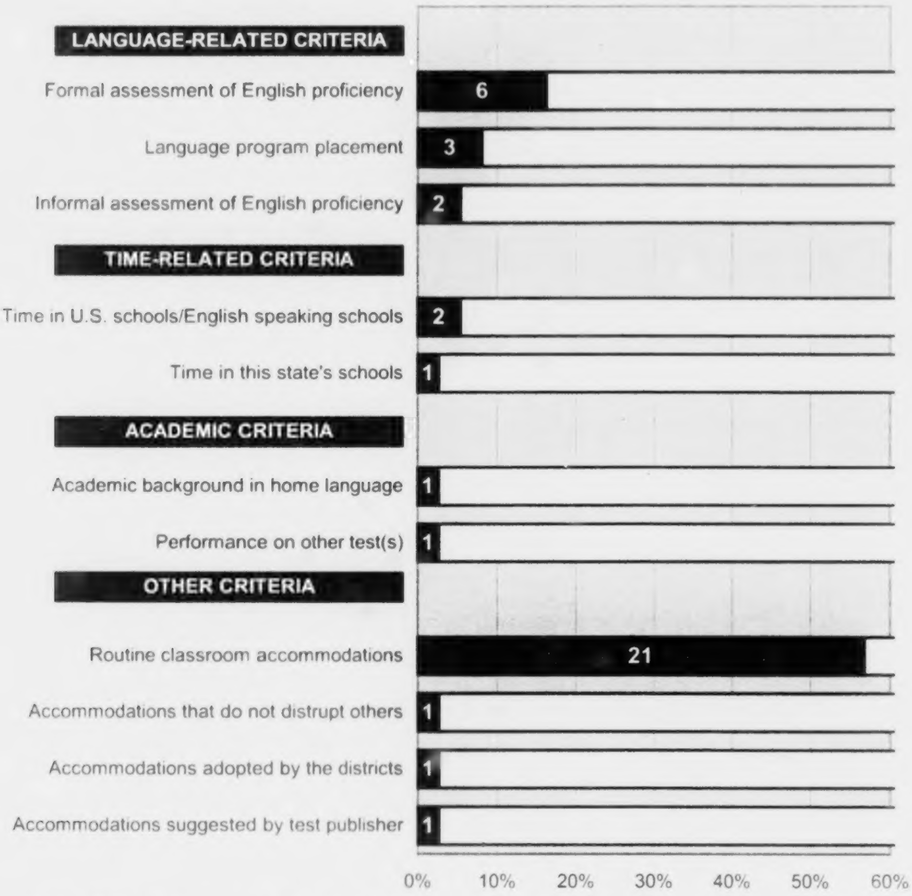
Decisions regarding the provision of accommodations to individual students must be based on some criteria. The response to Section 3.12 in the state report indicates whether the state has established criteria for determining if accommodations should be provided, and what those criteria are in each state.

Twenty-six of the 37 states that allow accommodations specify the criteria on which decisions are to be based. Figure 9 summarizes these criteria across all states. Table 3 provides state-by-state details regarding accommodation criteria.

The most widespread criterion involves consideration of the student's routine classroom accommodations. Of the 37 states that allow accommodations, 21 states use this criterion (AL, CO, DC, KS, KY, LA, MD, ME, MN, MS, MT, NC, NH, RI, TX, VA, VT, WA, WI, WV, and WY); in 13 of these states, this is the sole criterion considered (AL, CO, KS, LA, ME, MN, MS, NC, RI, TX, VA, WA, and WY). Other criteria are used in a handful of states.

Formal assessment of English proficiency (which is discussed on pages 20 and 22) is a factor in six states (DC, KY, MD, MT, SC, and WI). Criteria that are considered by three states or fewer include: program

Figure 9. Accommodation criteria by number and percent of states
(N=37 states that allow accommodations)



Note: Some states use multiple criteria; therefore, the total of the bar graphs is greater than 37.

BEST COPY AVAILABLE

placement (which is discussed on page 22) is considered by three states (CT, NV, and SC); informal assessment of English proficiency is considered by two states (NH and WV); academic background in home language (which is discussed on page 22) is considered by one state (MT); time in the state's schools is considered by one state (DE); and performance on other tests is considered by one state (VT).

Utah specifies that accommodation criteria be determined by the school district. Vermont considers the suggestions of the test publisher. Finally, Nevada considers whether the accommodation might disrupt others taking the test.

As shown in Table 3, states vary in the number of criteria used. Sixteen states consider only one criterion (AL, CO, CT, DE, KS, LA, ME, MN, MS, NC, RI, TX, UT, VA, WA, and WY), six states consider two criteria (DC, KY, MD, NH, WI, and WV), one state considers three criteria (SC), and one state considers four criteria (MT). It is unclear how many criteria are considered by two states because they do not specify their criteria for accommodation decision-making in their policy documents (NV and VT).

Table 3. Accommodation criteria by state
(Y=Yes, the state considers given criterion.)

State	State has accommodation policy	State has established criteria	Accommodation Criteria: Routine classroom accommodations	Formal assessment of English	Language program placement	Time in U.S/English speaking schools	Informal assessment of English	Time in this state's schools	Performance on other tests	Academic background in home language	To be adopted by districts	Accommodations that don't disrupt others	Suggestions of test publisher
AK	NO	NO	(Does not have an accommodation policy.)										
AL	YES	YES	Y										
AR	NO	NO	(Does not have an accommodation policy.)										
AZ	YES	NO	(Allows accommodations but does not have accommodation criteria.)										
CA	NO	NO	(Does not have an accommodation policy.)										
CO	YES	YES	Y										
CT	YES	YES			Y								
DC	YES	YES	Y	Y									
DE	YES	YES						Y					
FL	YES	NO	(Allows accommodations but does not have accommodation criteria.)										
GA	NO	NO	(Does not have an accommodation policy.)										
HI	NO	NO	(Does not have an accommodation policy.)										
ID	NO	NO	(Does not have an accommodation policy.)										
IL	YES	NO	(Does not allow accommodations.)										
IN	YES	NO	(Does not allow accommodations.)										
KS	YES	YES	Y										
KY	YES	YES	Y	Y									
LA	YES	YES	Y										
MA	NO	NO	(Does not have an accommodation policy.)										
MD	YES	YES	Y	Y									
ME	YES	YES	Y										
MI	YES	NO	(Allows accommodations but does not have accommodation criteria.)										
MN	YES	YES	Y										
MO	YES	NO	(Allows accommodations but does not have accommodation criteria.)										
MS	YES	YES	Y										
MT	YES	YES	Y	Y		Y				Y			
NC	YES	YES	Y										
ND	YES	NO	(Allows accommodations but does not have accommodation criteria.)										
NH	YES	YES	Y				Y						
NJ	YES	NO	(Allows accommodations but does not have accommodation criteria.)										
NM	YES	NO	(Does not allow accommodations.)										
NV	YES	YES			Y							Y	
NY	YES	NO											
OH	YES	NO	(Allows accommodations but does not have accommodation criteria.)										
OK	NO	NO	(Does not have an accommodation policy.)										
OR	YES	NO	(Allows accommodations but does not have accommodation criteria.)										
PA	YES	NO	(Allows accommodations but does not have accommodation criteria.)										
RI	YES	YES	Y										
SC	YES	YES		Y	Y	Y							
SD	NO	NO	(Does not have an accommodation policy.)										
TN	YES	NO	(Allows accommodations but does not have accommodation criteria.)										
TX	YES	YES	Y										
UT	YES	YES									Y		
VA	YES	YES	Y										
VT	YES	YES	Y						Y				Y
WA	YES	YES	Y										
WI	YES	YES	Y	Y									
WV	YES	YES	Y				Y						
WY	YES	YES	Y										
Total "YES"	40	26	21	6	3	2	2	1	1	1	1	1	1

BEST COPY AVAILABL

Accommodation decision-makers

Section 3.11 in the state report identifies who makes the decision concerning the provision of accommodations to individual students. Of the 37 states that allow accommodations, 23 states recommend accommodation decision-makers, as illustrated in Figure 10 and shown in Table 4 (AL, AZ, CO, KS, KY, LA, MD, ME, MN, MS, MT, NC, NH, NY, OR, RI, TX, VA, VT, WA, WI, WV, and WY).

In 14 states, the accommodation decision-making team most frequently includes the student's classroom teacher(s) (CO, KS, MD, ME, MN, MS, NH, NY, OR, RI, VA, VT, WI, and WV). Parent(s)/guardian(s), may be included in nine states (AL, MD, ME, MN, NH, OR, VA, VT, and WV).

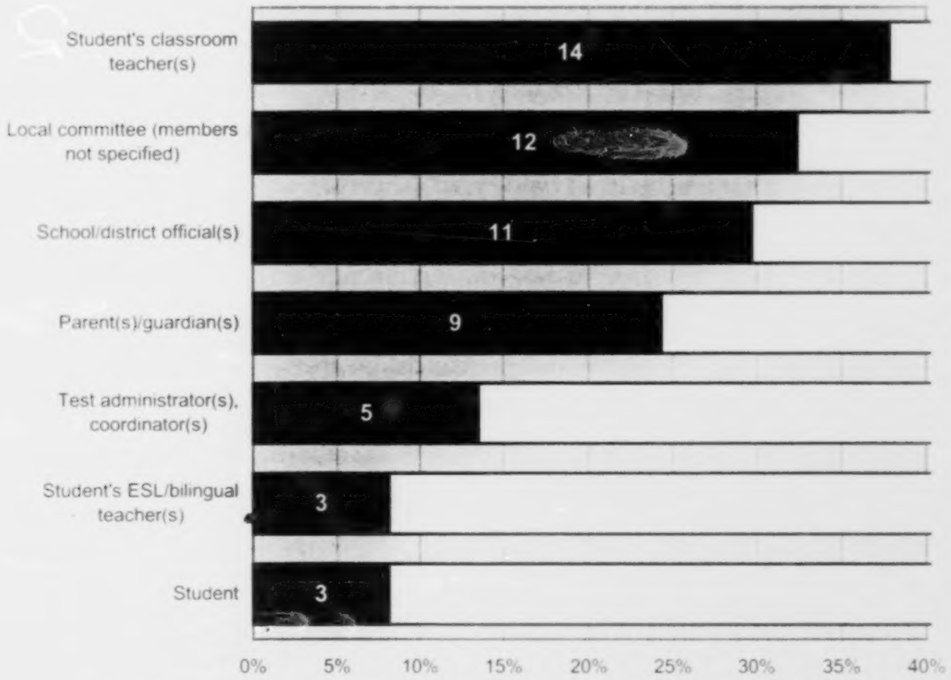
Similar to the inclusion decision-making process, the accommodation decision-making process involves a team of individuals, some of whom are not identified explicitly in state policy.

Twelve states mention a local committee without specifying its members (AL, KY, MD, ME, MT, NC, NH, OR, RI, VT, WA, and WI). Likewise, school officials, who form a relatively broad category, are included in eleven states (AZ, LA, ME, MN, MS, NH, NY, TX, VA, WV, and WY).

Six states involve ESL professionals in the decision-making process (KS, LA, MS, NC, VA, and WV).

Only a few states explicitly state that the student may be involved in the process (MD, OR, and VT).

Figure 10. Accommodation decision-makers by number and percent of states (N=37 states that allow accommodations)



Note: Some states use multiple decision-makers, therefore, the total of the bar graphs is greater than 37.

BEST COPY AVAILABLE

Table 4. Accommodation decision-makers by state
(Y=Yes, the state recommends the given person's participation.)

			Accommodation decision-makers							
State	*State has accommodation policy*	*State has established decision-makers*	*Student's classroom teacher*	*Local committee (members not spec9ified)*	*School/district officials*	*Parent(s)/guardian(s)*	*Test administrator(s), coordinator(s)*	*Student*	*Student's ESL/bilingual teacher(s)*	*Person responsible for education of ELLs, ESL coordinator*
AK	**NO**	NO	(Does not have an accommodation policy.)							
AL	YES	YES		Y		Y				
AR	**NO**	**NO**	(Does not have an accommodation policy.)							
AZ	YES	YES			Y					
CA	**NO**	**NO**	(Does not have an accommodation policy.)							
CO	YES	YES	Y				Y			
CT	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
DC	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
DE	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
FL	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
GA	**NO**	**NO**	(Does not have an accommodation policy.)							
HI	**NO**	**NO**	(Does not have an accommodation policy.)							
ID	**NO**	**NO**	(Does not have an accommodation policy.)							
IL	YES	**NO**	(Does not allow accommodations.)							
IN	YES	**NO**	(Does not allow accommodations.)							
KS	YES	YES	Y						Y	
KY	YES	YES		Y						
LA	YES	YES			Y		Y		Y	
MA	**NO**	**NO**	(Does not have an accommodation policy.)							
MD	YES	YES	Y	Y		Y		Y		
ME	YES	YES	Y	Y	Y	Y				
MI	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
MN	YES	YES	Y		Y	Y				
MO	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
MS	YES	YES	Y		Y		Y		Y	
MT	YES	YES		Y						
NC	YES	YES		Y			Y			Y
ND	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
NH	YES	YES	Y	Y	Y	Y				
NJ	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
NM	YES	**NO**	(Does not allow accommodations.)							
NV	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
NY	YES	YES	Y		Y					
OH	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
OK	**NO**	**NO**	(Does not have an accommodation policy.)							
OR	YES	YES	Y	Y		Y		Y		
PA	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
RI	YES	YES	Y	Y			Y			
SC	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
SD	**NO**	**NO**	(Does not have an accommodation policy.)							
TN	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
TX	YES	YES			Y					
UT	YES	**NO**	(Allows accommodations but does not recommend decision-makers.)							
VA	YES	YES	Y		Y	Y				Y
VT	YES	YES	Y	Y		Y		Y		
WA	YES	YES		Y						
WI	YES	YES	Y	Y						
WV	YES	YES	Y		Y	Y				Y
WY	YES	YES			Y					
Total "YES"	**40**	**23**	**14**	**12**	**11**	**9**	**5**	**3**	**3**	**3**

3EST COPY LABLE

Allowance of Accommodations

When state policies address individual accommodations, they provide one or more of the following pieces of information: whether the accommodation is allowed on a specific test component, whether it is prohibited on a specific test component, and whether its use affects score reporting.

For the purposes of this report, test component refers to any section or subsection of a test that is part of a state's entire assessment program. It may refer to a single test, which may or may not be given at different grade levels (for example, the *Florida Writes!* assessment, which tests writing at grades 4, 8, and 10), a battery of tests (for example, the *Connecticut Mastery Test*, which tests reading, writing and mathematics at grades 4, 6, and 8), or a subtest in a battery (for example, one of the subject tests of the *Connecticut Mastery Test*). In this section, we discuss which accommodations are allowed and which accommodations are prohibited. In the next section, we discuss how the use of accommodations affects score reporting.

In each case, the important factor is that the state has identified the particular test as a component of its assessment program, and has provided accommodation policies particular to that component. In New Hampshire, for example, oral reading of questions in English is a prohibited accommodation on the reading and English language arts sections of the *New Hampshire Educational Improvement and Assessment Program*. Oral reading is allowed on the other non-language arts sections, such as math. In our study, therefore, we report that oral reading is allowed on some test components.

State policies address dozens of different accommodations. As mentioned in the review of literature and discussed in the next section, these accommodations have traditionally been classified based on a system that was first applied to accommodations used for special education. Within this system, accommodations are typically classified as: *presentation format accommodations, response format accommodations, setting accommodations, timing/scheduling accommodations*, and *"other" accommodations*.

We first applied this classification scheme to analyze the state policies. Next, to explore how the specific assessment needs of ELLs were being addressed, we created a new classification scheme designed especially with ELLs in mind. This classification scheme is based on linguistic considerations. It categorizes accommodations into three groups: *native language, English language*, and *non-linguistic accommodations*.

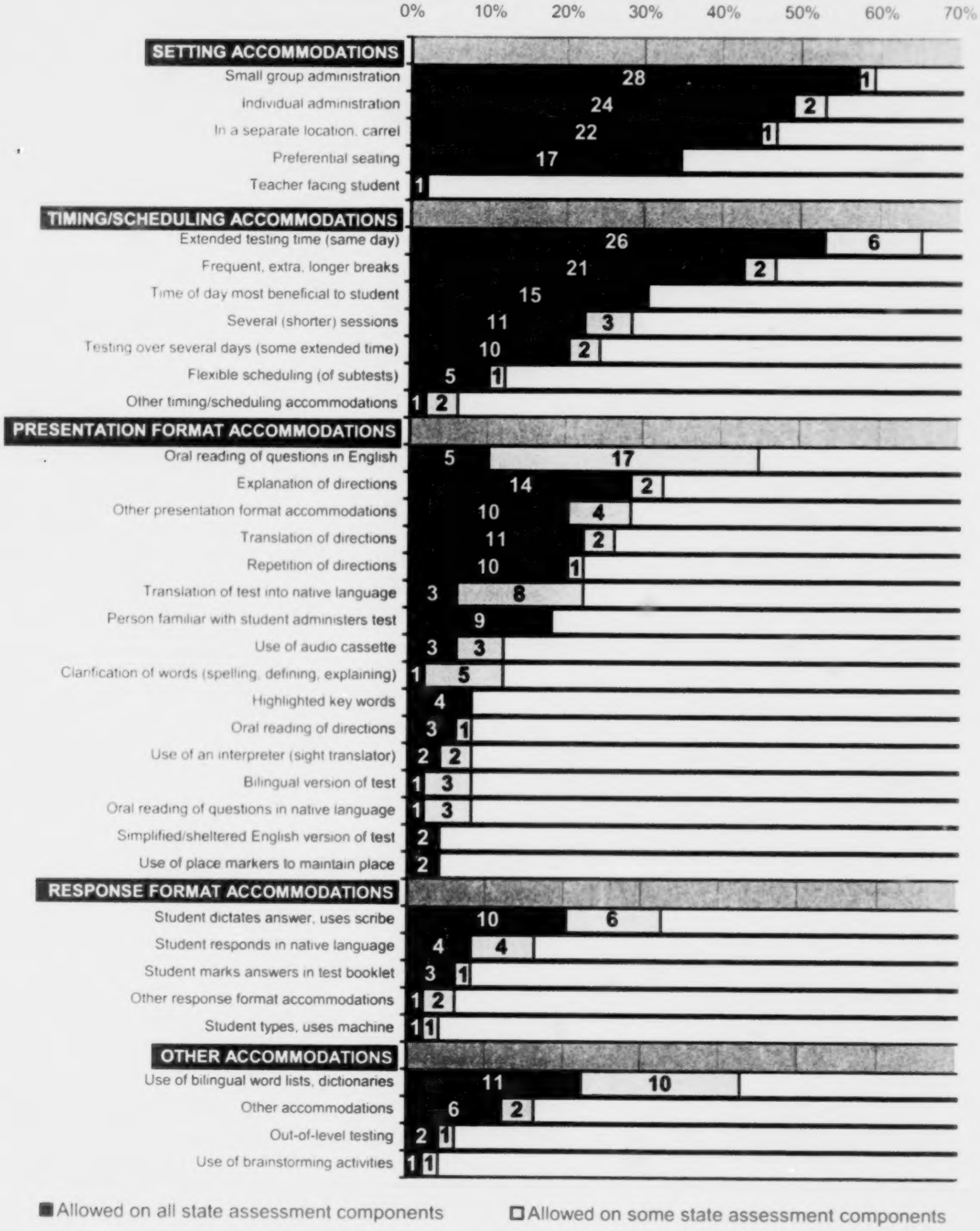
Both the traditional and linguistic classification schemes are used to provide a clear understanding of current state policies for accommodating ELLs.

View from a Traditional Classification of Accommodations

The analysis of accommodations from the traditional classification scheme shows that states include accommodations that have varying degrees of acceptability. We classify the acceptability of an individual accommodation based on the number of states that allow it on all components, allow it on some components, or prohibit its use on all components.

Based on these criteria, Figure 11 provides a list of all individual accommodations allowed by the states, and indicates the number of states that allow each accommodation on all components, and the number of states that allow it on some components. As Figure 11 shows, the most popular accommodations are *setting* and *timing/scheduling accommodations*. Moreover, unlike accommodations in other categories, no state prohibits their use. By implication, these accommodations are considered by states to be the most acceptable accommodations.

Figure 11. Traditional classification of individual accommodations allowed by number and percent of states (N=49 states with statewide assessments)



BEST COPY AVAILABLE

Setting accommodation

Setting accommodations include practices that affect the environment in which the test is given. When *setting accommodations* are mentioned in state policy, they are usually allowed on all components of a state assessment program. Of the 37 states that allow accommodations, none prohibit any *setting accommodations*.

As shown in Table 5, three *setting accommodations* are allowed by a large number of states: 1) small group administration, which is allowed by 28 states on all components (AL, CT, DC, DE, KS, KY, LA, MD, ME, MI, MN, MO, MS, MT, ND, NH, NV, NY, OR, RI, SC, TN, TX, VA, WA, WI, WV, and WY) and by 1 state on some components (AZ), 2) individual administration, which is allowed by 24 states on all components (AL, CT, DE, KS, LA, ME, MI, MN, MO, MS, ND, NH, NV, NY, OR, RI, SC, TN, TX, VA, VT, WA, WV, and WY) and by 2 states on some components (AZ and MD), and 3) administration in a separate location or carrel, which is allowed by 22 states on all components (AL, CT, FL, KS, MD, ME, MI, MN, MS, NC, ND, NH, NJ, NV, NY, OR, PA, RI, TX, VA, WA, and WY) and by one state on some components (AZ).

Another fairly popular *setting accommodation* is preferential seating, which is allowed by 17 states on all test components (AL, DC, DE, KS, MD, ME, MS, ND, NH, NV, OR, RI, TX, VA, WA, WI, and WV). This accommodation allows a student to sit in the front of the room, providing the student with the best opportunity for understanding oral directions given by the test administrator. For similar reasons, one state identifies one setting accommodation as making sure that the teacher is facing the student (NH).

Table 5. Setting accommodations allowed by state
1=Allowed on all components
2=Allowed on some components

	Setting Accommodations				
State	***Small group administration***	***Individual administration***	***In a separate location, carrel***	***Preferential seating***	***With teacher facing student***
AK					
AL	1	1	1	1	
AR					
AZ	2	2	2		
CA					
CO					
CT	1	1	1		
DC	1			1	
DE	1	1		1	
FL			1		
GA					
HI					
ID					
IL					
IN					
KS	1	1	1	1	
KY	1				
LA	1	1			
MA					
MD	1	2	1	1	
ME	1	1	1	1	
MI	1	1	1		
MN	1	1	1		
MO	1	1			
MS	1	1	1	1	
MT	1				
NC			1		
ND	1	1	1	1	
NH	1	1	1	1	1
NJ			1		
NM					
NV	1	1	1	1	
NY	1	1	1		
OH					
OK					
OR	1	1	1	1	
PA			1		
RI	1	1	1	1	
SC	1	1			
SD					
TN	1	1			
TX	1	1	1	1	
UT					
VA	1	1	1	1	
VT		1			
WA	1	1	1	1	
WI	1			1	
WV	1	1		1	
WY	1	1	1		
Total allowed	**29**	**26**	**23**	**17**	**1**

BEST COPY AVAILABLE

Timing/Scheduling accommodations

Similar to *setting accommodations*, *timing/scheduling accommodations* are offered by many states, and no state prohibits their use. By far, the most popular *timing/scheduling accommodation* is extending the test time on the same day. As shown in Table 6, extra time is allowed by 26 states on all components (CO, CT, DC, DE, LA, MA, MD, ME, MI, MN, MO, MT, NC, ND, NJ, NY, OH, OR, PA, RI, SC, TX, VT, WA, WI, and WV), and by 6 states on some components (AL, FL, MS, NV, VA, and WY). This accommodation is so acceptable that it may be allowed for all students taking the test, not just for those students with special needs. This is the case of Massachusetts, which has untimed tests.

Regarding restrictions applied to time extensions, Alabama, Nevada, and New Jersey specify a maximum amount of time allowable.

As shown in Table 6, four *timing/scheduling accommodations* are fairly popular: 1) offering frequent, extra or longer breaks, which is allowed on all components by 21 states (CO, CT, DC, DE, KS, MD, ME, MI, MN, MS, ND, NH, OR, PA, RI, TX, VA, VT, WA, WI, and WV) and allowed by two states on some components (AL and WY), 2) choosing the time of day most beneficial to the student, which is allowed by 15 states on all components (AL, CO, MD, ME, MS, ND, NH, NV, OR, RI, VA, WA, WI, WV, and WY), 3) offering several (often shorter) sessions, which is allowed by 11 states on all components (CO, CT, DE, FL, ME, NC, ND, NH, OR, VA, and WV) and by 3 states on some components (AZ, MN, and TN), and 4) allowing testing over several days, which is allowed by 10 states on all components (DC, MD, ME, NC, ND, OR, RI, WA, WI, and WV) and by 2 states on some components (AZ and VA).

One *timing/scheduling accommodations* is less popular. Flexible scheduling of subtests is offered on all components in five states (DC, MT, ND, VA, and WV) and on some components in one state (RI).

Table 6. Timing/scheduling accommodations allowed by state

1=Allowed on all components

2=Allowed on some components

	Timing/Scheduling Accommodations						
State	*Extended testing time (same day), no limit*	*Frequent, extra, longer breaks*	*Time of day most beneficial to student*	*Several (shorter) sessions*	*Testing over several days (extended time)*	*Flexible scheduling (of subtests)*	*Other timing accommodations*
AK							
AL	2	2	1				2*
AR							
AZ				2	2		
CA							
CO	1	1	1	1			
CT	1	1		1			
DC	1	1			1	1	
DE	1	1		1			
FL	2			1			
GA							
HI							
ID							
IL							
IN							
KS		1					
KY							
LA	1						
MA	1						
MD	1	1	1		1		
ME	1	1	1	1	1		
MI	1	1					
MN	1	1		2			
MO	1						
MS	2	1	1				
MT	1					1	
NC	1			1	1		
ND	1	1	1	1	1	1	
NH		1	1	1			
NJ	1						
NM							
NV	2		1				
NY	1						
OH	1						
OK							
OR	1	1	1	1	1		
PA	1	1					
RI	1	1	1		1	2	
SC	1						
SD							
TN				2			
TX	1	1					
UT							
VA	2	1	1	1	2	1	
VT	1	1					2**
WA	1	1	1		1		
WI	1	1	1		1		
WV	1	1	1	1	1	1	1***
WY	2	2	1				
Total allowed	**32**	**23**	**15**	**14**	**12**	**6**	

*Unspecified other accommodations. **Group breaks, more than 20 minutes. ***Breaks during a subtest.

BEST COPY AVAILABLE

There appears to be less of a consensus regarding the use of the remaining accommodation types in the traditional classification, *presentation format* and *response format accommodations*. This is evidenced by the fact that fewer states allow these accommodations, as we have already seen in Figure 11; conversely, some states explicitly prohibit their use. (These prohibitions will be discussed in more detail in the following section.)

Presentation format accommodations

Presentation format accommodations are the most numerous, accounting for nearly half of the accommodations. These are accommodations that affect the manner in which the assessment instrument is presented to the student.

The most popular *presentation format accommodation* is oral reading of questions in English. As shown in Table 7, five states allow this on all assessment components (DE, KY, ME, MI, and ND); 17 states allow this accommodation on some assessment components (AL, CO, FL, KS, MD, MO, MS, NC, NH, OR, RI, SC, VA, WA, WI, WV, and WY).

The next most popular *presentation format accommodations* can be grouped together based on the fact that they all involve the test directions. Explanation of directions is allowed on all components by 14 states (CT, DC, DE, KY, ME, MN, MT, NV, OR, SC, TX, VA, WA, and WV), and allowed on some components by two states (AZ and FL). It is notable that, in Minnesota, the explanation of directions is allowable before -- but not at -- the time of the test. Repetition of directions is allowed on all components by 10 states (CO, DC, DE, LA, MD, OR, SC, TX, WA, and WY), and on some components by one state (AZ). Translation of directions is allowed on all components by eleven states (MI, MN, MT, NJ, NV, OH, OR, PA, SC, TX, and WA), and on some components by two states (AL and AZ).

Nine states (AL, FL, LA, ME, MS, NH, SC, TN, and TX) allow a person familiar with the student to administer the test on all components.

Translation of the test into the native language is used by few states. As shown on Table 7, three states allow it on all components of the state assessment (DE, KY, and ME) and eight states allow it on some components (MN, NM, NY, OR, RI, TX, UT, and VT).

Similarly, Table 7 indicates that few states allow either bilingual versions of tests or simplified/sheltered English versions. Bilingual versions of tests are available in Spanish in four states (CO, MA, OR, and WY). Wyoming allows the use of bilingual tests on all components; the other states allow bilingual tests on some components. Simplified/sheltered English versions of tests are available in two states (KS and ME), where they are allowed on all tests.

Table 7 continues to illustrate this trend: the least used *presentation format accommodations* are those related to usage of the native language. Oral reading of questions in the native language is allowed on all tests by New York, and on some tests by Oregon, Rhode Island and Wyoming.

Table 7 shows that use of an interpreter or sight translator[10] is allowed on all components by Delaware and New Hampshire; it is allowed on some components by Ohio and Vermont.

A handful of states allow other *presentation format accommodations* related to making English more accessible. Clarification of words in English is allowed by one state (MT) on all components; it is allowed on some components by five states (AZ, CO, FL, NV, and WY). Use of audiocassettes is allowed on all components by three states (MT, ND, and VT), and on some components by three states (MD, MN, and RI). Oral reading of directions is allowed on all components by three states (CO, VA, and WV), and on some components by Wisconsin. Highlighting key words on the test to focus the student's attention on main ideas is allowed by four states (KS, ND, OR, and VA).

---

[10] Sight translation is the act of orally rendering a document written in language A to language B. In the context of state assessment, sight translation involves rendering orally all or part of a test written in English into the student's native language.

Table 7. Presentation format accommodations allowed by state
1=Allowed on all components 2=Allowed on some components

State	Presentation Format Accommodations																Notes
	Oral reading of questions in English	Explanation of directions	Translation of directions	Translation of test into native language	Repetition of directions	Person familiar with student administers test	Clarification of words in English	Use of audio cassette	Oral reading of questions in native language	Bilingual version of test	Oral reading of directions	Use of an interpreter (sight translator)	Highlighted key words	Use of place markers	Simplified/sheltered English version of test	Other presentation format accommodations	
AK																	
AL	2		2			1											
AR																	
AZ		2	2		2		2*										*Teacher provides clarification.
CA																	
CO	2				1		2*			2**	1						*Spelling of words to students who request it. **Spanish
CT		1															
DC		1			1									1			
DE	1	1		1*	1							1					*Language(s) not specified.
FL	2	2				1	2*										*May answer questions about a word or phrase.
GA																	
HI																	
ID																	
IL																	
IN																	
KS	2												1		1		
KY	1	1		1*												1**	*Language(s) not specified. **Paraphrasing directions in student's native language.
LA					1	1											
MA										2*							*Spanish
MD	2				1			2c								1*	*Written copies of orally presented materials.
ME	1	1		1*		1									1		*Language(s) not specified
MI	1		1														
MN		1	1	2*				2								2**	*Spanish, Vietnamese, White Hmong **Script of audiocassette. Short segment booklets.
MO	2																
MS	2					1											
MT		1	1				1*	1								1**	*Decrease language demands (e.g., by clarifying information--paraphrases, synonyms). **Provide native language support (e.g., taped instructions).
NC	2																

BEST COPY AVAILABLE

State	Presentation Format Accommodations																Notes
	Oral reading of questions in English	Explanation of directions	Translation of directions	Translation of test into native language	Repetition of directions	Person familiar with student administers test	Clarification of words in English	Use of audio cassette	Oral reading of questions in native language	Bilingual version of test	Oral reading of directions	Use of an interpreter (sight translator)	Highlighted key words	Use of place markers	Simplified/sheltered English version of test	Other presentation format accommodations	
ND	1							1*					1*				*Tape test. **Highlight key words in directions.
NH	2					1						1					
NJ			1														
NM				2*													*Spanish
NV		1	1				2*									1**	*Define words in test topics. **Test administered by ESL teacher or special test administrator.
NY				2*					1								*Spanish, Chinese, Haitian, Creole, Korean, and Russian
OH			1									2					
OK																	
OR																	*Spanish (Russian under development)
	2	1	1	2*	1				2	2*			1			1 (a-c) 2 (d)**	**a. Written oral directions b. Simplified directions c. Translated key words on test d. Read the reading/literature test aloud
PA			1														
RI	2			2*				2**	2							1***	*Spanish. **Audio taped presentation. ***Directions simplified.
SC	2	1	1		1	1											
SD																	
TN						1										1*	*Administration of a single subtest.
TX		1	1	2*	1	1											*Spanish
UT				2*													*Language(s) not specified
VA	2	1									1		1				
VT				2*				1				2				1**	*Language(s) not specified **Use of videotape.
WA	2	1	1		1												
WI	2										2						
WV	2	1									1*			1			*Reading of embedded written directions in English.
WY	2				1		2		2	1*						2**	*Spanish **In native language: read instructions, clarify words.
Total allowed	22	16	13	11	11	9	6	6	4	4	4	4	4	2	2		

1=Allowed on all components 2=Allowed on some components

BEST COPY AVAILABLE

BEST COPY AVAILABLE

Response format accommodations

Response format accommodations affect how a student is allowed to respond to test items. These accommodations are similar to the *presentation format accommodations* in that their use is more limited than the *setting* and *timing/scheduling accommodations*. This category is different from *presentation format accommodations* in that it represents fewer accommodations, and these accommodations are less popular.

The most significant member of this category is an accommodation in which the student is able to dictate answers and/or use a scribe. Ten states allow this accommodation on all components (CO, KS, MD, MI, MO, MT, ND, OR, RI, and WI); six states allow it on some components (DE, ME, NH, VA, VT, and WY). Other response format accommodations include allowing the student to respond in the native language, which is allowed by four states on all components (KS, MT, ND, and OR), and by four states on some components (DE, MA, RI, and TX); allowing the student to mark answers in the test booklet is allowed by four states on at least one component (AL, MN, NC, and SC); and allowing the student to type or use a machine, is allowed on all components by Maryland and on some components by Alabama.

Table 8. Response format accommodations allowed by state
1=Allowed on all components
2=Allowed on some components

	Response Format Accommodations				
State	***Student dictates answer, uses scribe***	***Student response in native language***	***Student marks answers in test booklet***	***Student types, marks answers using machine***	***Other response format accommodations***
AK					
AL			2	2*	
AR					
AZ					
CA					
CO	1				
CT					
DC					
DE	2	2			1*
FL					
GA					
HI					
ID					
IL					
IN					
KS	1	1*			
KY					
LA					
MA		2			
MD	1			1*	
ME	2				
MI	1				
MN			1		
MO	1				
MS					
MT	1	1			
NC			1		
ND	1	1*			
NH	2				
NJ					
NM					
NV					
NY					
OH					
OK					
OR	1	1			
PA					
RI	1	2			
SC			1		
SD					
TN					
TX		2			
UT					
VA	2				2*
VT	2				
WA					
WI	1				
WV					
WY	2				2*
Total allowed	**16**	8	4	2	3

Notes for Table 8

AL *Student marks answers by machine.

DE *Scribe records student response on a writing prompt.

KS *Student dictates answers on tape for verbatim translation.

MD *Student types response for transcription by school personnel.

ND *Student tape records responses for later verbatim translation.

VA *Student responds verbally and teacher or proctor marks answer sheet.

WY *Words can be spelled for student providing written response

BEST COPY AVAILABLE

The four traditional categories do not account for all accommodations allowed by states, so a fifth category called *other accommodations* must be included.

According to Table 9, the most significant accommodation in this category is allowing the use of bilingual dictionaries or word lists. This accommodation is allowed on all tests by 11 states (FL, KY, LA, MD, ME, MI, MT, NC, NJ, OH, and WY) and on some components by ten states (AL, AZ, CO, DE, MS, NY, RI, SC, VA, and WA). One policy of note is that of Louisiana, where it is stipulated that an "English/Native Language dictionary (no definitions)" is allowed for all tests, while an "English/Native Language dictionary" is allowed only for the written composition test.

Other accommodations include the use of out-of-level testing (administering a test below grade level) and the use of brainstorming activities such as creating solution maps and discussing in pairs. The former is allowed by Kansas, Montana and Vermont; the latter is allowed by Delaware and Vermont.

Considering the number of possible accommodations and the choices involved in determining the extent to which they should be offered, it is no surprise that state policies regarding which accommodations are allowable are so varied. Just as much (and perhaps more) can be learned about the states' attitudes toward ELL accommodations by considering the accommodations that are prohibited.

Table 9. Other accommodations allowed by state

1=Allowed on all components
2=Allowed on some components

State	Other Accommodations			
	Use of bilingual word lists, dictionaries	*Out-of-level testing*	*Use of brainstorming activities*	*Other accommodations*
AK				
AL	2			2
AR				
AZ	2			
CA				
CO	2			
CT				
DC				
DE	2		2*	
FL	1			
GA				
HI				
ID				
IL				
IN				
KS		1		
KY	1			1*
LA	1			2*
MA				
MD	1			1*
ME	1			
MI	1			
MN				
MO				1*
MS	2			
MT	1	1		
NC	1			
ND				1*
NH				
NJ	1			
NM				
NV				
NY	2			
OH	1			
OK				
OR				1*
PA				
RI	2			
SC	2			2*
SD				
TN				
TX				
UT				
VA	2			
VT		2	1*	
WA	2*			
WI				
WV				
WY	1			
Total allowed	21	3	2	8

Notes for Table 9

AL *Unspecified other accommodations which need to be approved by the state Department of Education.
DE *Students discuss/brainstorm in pairs during the pre-writing part of the Writing test.
KY *Use of grammar or spell-checking systems.
LA *Bilingual dictionary, with definitions.
MD *Those proposed by a Local Accountability Coordinator or LEP staff, and approved by MSDE Office and LEP staff.
MO *Use of native language dictionary.
ND *Special test preparation (not specified). On-task/focusing prompts.
OR *Use of an electronic translation device.
SC *Alternative Holistic Score Scale.
VT Solution maps; Pre-conferencing.
WA *Use of student created dictionaries.

BEST COPY AVAILABLE

Table 10. Accommodations prohibited by state
(N=16 States that prohibit all or some accommodations)
Y=Yes, the given accommodations are prohibited by that state.

Accommodation		**Presentation**						**Response**	**Others**				
State	States that prohibit all accommodations	Translation of test into native language	Oral reading of questions in English	Oral reading of directions	Bilingual version of test	Paraphrasing test items	Oral reading of question in native language	Student responds in native language	Use of English language dictionaries	Use of bilingual word lists, dictionaries	Use of student created word lists	Accommodations not used in class/testing situations	Out-of-level testing
DC		Y											
FL									Y				
IL*	YES	Y											
IN*	YES	Y											
KY								Y					
NC									Y			Y	Y
NJ		Y											
NM**	YES												
NV										Y			
NY									Y				
PA		Y	Y		Y		Y	Y					
TN			Y	Y						Y			
TX										Y			
WA											Y		
WV		Y											
WY						Y							
Total prohibited	3	6	2	1	1	1	1	2	3	3	1	1	1

*Prohibits the use of all accommodations, and explicitly prohibits the use of translated tests.
**Prohibits the use of all accommodations, but allows the use of translated tests.

Prohibition of Accommodations

When discussing the use of accommodations, most state policies focus on enumerating the accommodations that are allowed. Some state policies, however, also include information about accommodations that are explicitly prohibited. As discussed earlier, the policies of three states (IL, IN, and NM), prohibit the use of all accommodations, and the policies of thirteen states prohibit the use of at least one accommodation (but not all) (DC, FL, KY, NC, NJ, NV, NY, PA, TN, TX, WA, WV, and WY). Table 10 provides state-by-state details regarding these prohibitions. Figure 12 gives a summary of these prohibitions based on the traditional classification of accommodations.

In the previous section we explained that presentation *format*, *response format accommodations* and *other accommodations* are not used as much as the *setting* and *timing/scheduling accommodations*. These are the accommodations that some states explicitly prohibit.

The most popular *presentation format accommodation*, oral reading of questions in English, is prohibited by two states (PA and TN).

Less popular *presentation format accommodations*, those related to native language use, are also prohibited by some states. Translation of the test into the native language is explicitly prohibited by six states (DC, IL, IN, NJ, PA, and WV). Pennsylvania explicitly prohibits bilingual tests and the oral reading of questions in the native language.

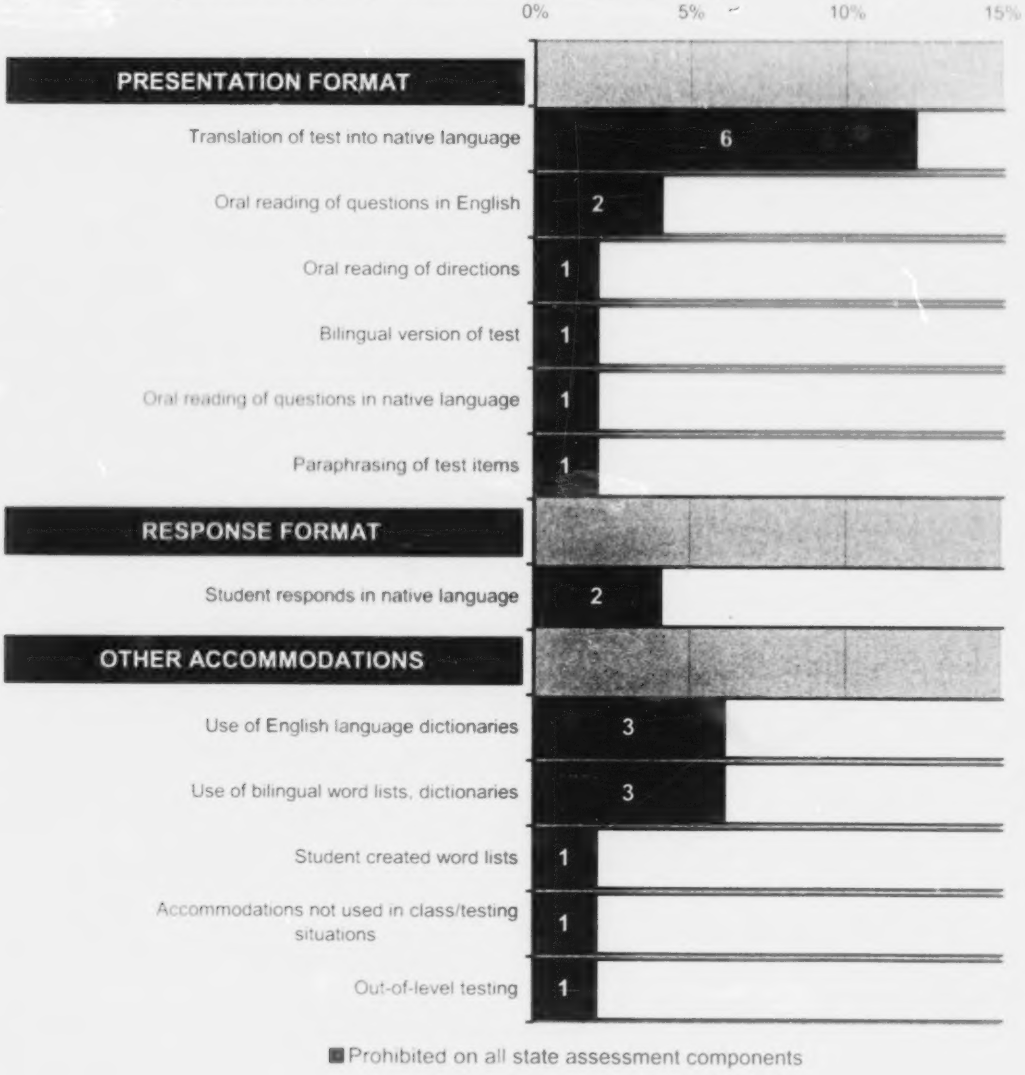
Two *presentation format accommodations* related to making English more accessible, oral reading of directions and paraphrasing test items are also prohibited. Tennessee prohibits the former; Wyoming, the latter.

One *response format accommodation*, allowing the student to respond in the native language, is prohibited by two states (KY and PA).

Under the category *other accommodations*, the use of bilingual dictionaries or word lists is prohibited on all components by Nevada, Tennessee, and Texas. Allowing the use of English language dictionaries is prohibited on all components by three states (FL, NC, and NY). Similarly, the use of student created word lists is prohibited by the state of Washington. Finally, the use of out-of-level testing and the use of accommodations that are not used in the student's regular classroom or testing situations are prohibited by North Carolina.

In order to better understand national trends regarding the allowance and prohibition of accommodations, we next focus more directly on accommodations based on whether the accommodation addresses the linguistic needs of ELLs.

Figure 12. Traditional classification of individual accommodations prohibited by number and percent of states (N=49 states with statewide assessments)



View from a Linguistic Classification of Accommodations

In the previous section, accommodations were presented according to a traditional classification system. In analyzing the results based on this system, it became apparent that in order to better evaluate the extent to which the assessment needs of ELLs were being addressed, it would be useful to reclassify the accommodations based on linguistic factors. This section of the report, therefore, focuses on a linguistic classification of the accommodations that have already been presented. By analyzing accommodations using both the traditional and linguistic classification systems, it is possible to clearly picture current policy regarding the accommodations offered ELLs.

Figure 13 takes the accommodations listed in Figure 11 and re-arranges them based on linguistic considerations.

The first group, *native language accommodations*, includes any accommodations used to make the content information accessible to the student in his/her native language (e.g., allowing the use of bilingual dictionaries, translating the test's directions).

English language accommodations include any accommodations used to help the student better understand test information presented in English (e.g., allowing questions to be read orally in English, explaining directions). The remaining accommodations can be classified as *non-linguistic accommodations* (e.g., extending the test time, allowing the test to be administered in a small group setting).

The data in Figure 13 suggests *that non-linguistic accommodations* are used by states far more than either *native language* or *English language accommodations*. The least utilized and perhaps more controversial group (as we will see when we focus on the prohibited accommodations) appears to be *native language accommodations*.

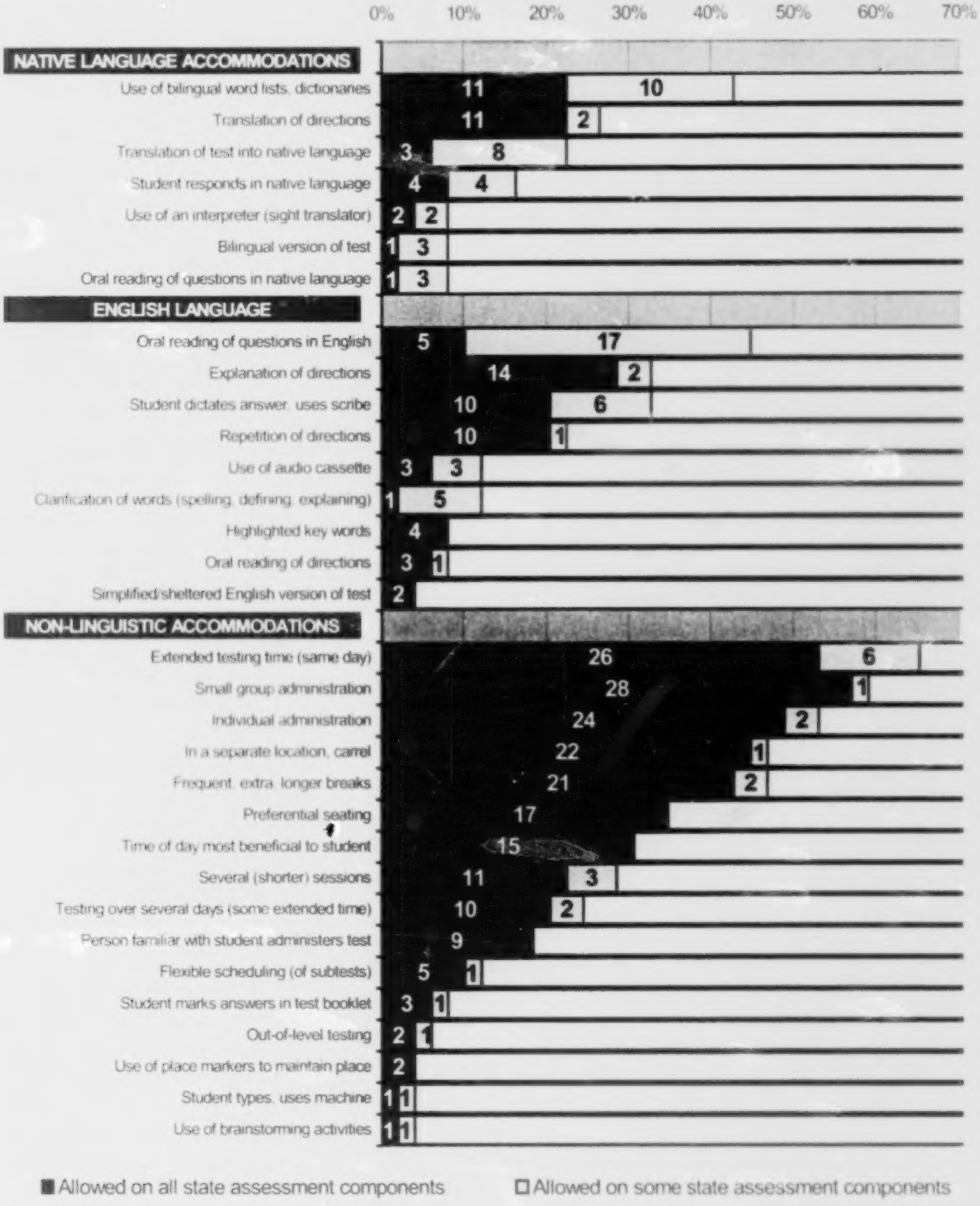
The most common *native language accommodation* offered by state policies is allowing the use of bilingual word lists and dictionaries. Eleven allow their use on all state assessment components states (FL, KY, LA, MD, ME, MI, MT, NC, NJ, OH, and WY), and ten states allow them on at least one component (AL, AZ, CO, DE, MS, NY, RI, SC, VA, and WA), according to Table 9.

Some states have gone a step further in addressing the language needs of ELLs by producing translated directions and tests. As shown in Table 7, eleven states translate directions on all test components (MI, MN, MT, NJ, NV, OH, OR, PA, SC, TX, and WA), and two states translate directions on at least one component (AL and AZ).

Combining two categories, the use of translated tests and bilingual tests, Table 7 shows that 14 states offer translated tests (CO, DE, KY, MA, ME, MN, NM, NY, OR, RI, TX, UT, VT, and WY). Nine of these states specify that the translation is available in Spanish (CO, MA, MN, NM, NY, OR, RI, TX, and WY); five states do not specify the target language (DE, KY, ME, UT, and VT). In addition to offering Spanish versions, Minnesota translates tests into Vietnamese and White Hmong; New York has translated versions in Chinese, Haitian Creole, Korean, and Russian.

It is interesting to note that there are two states that provide translated tests although they have not specified accommodation policies related to translation (MA and NM). Massachusetts has a bilingual test in Spanish. Similarly, Texas allows Spanish language tests for some components. New Mexico offers a Spanish version of its High School Competency Examination. For its other tests, instead of offering translated versions, the state recommends using commercially published Spanish language tests as alternate tests.

Figure 13. Linguistic classification of individual accommodations allowed by number and percent of states (N=49 states with statewide assessments)



BEST COPY AVAILABLE

Other *native language accommodations* are allowed in few states. Table 8 shows that eight states allow the student to respond in his/her native language (DE, KS, MA, MT, ND, OR, RI, and TX). Four states allow the student to use an interpreter or sight translator (DE, NH, OH, and VT). Four states permit oral reading of questions in the student's native language (NY, OR, RI, and WY). (See Table 7.)

English language accommodations are offered by more states than *native language accommodations*. These accommodations most often affect the manner in which the test is presented. Most *English language accommodations* focus on lessening the reading/writing burden of assessments. The most common *English language accommodation* is oral reading of questions in English. As shown in Table 7, a total of 22 states allow this accommodation on at least one test component (AL, CO, DE, FL, KS, KY, MD, ME, MI, MO, MS, NC, ND, NH, OR, RI, SC, VA, WA, WI, WV, and WY). Six states allow the use of an audiocassette to present the test (MD, MN, MT, ND, RI, and VT). One state allows the use of a videotape (VT).

In addition to accommodations that apply to the presentation of the entire test, there are accommodations that apply solely to the directions. Table 7 shows that explanation of directions[11] is offered on at least one component by 16 states (AZ, CT, DC, DE, FL, KY, ME, MN, MT, NV, OR, SC, TX, VA, WA, and WV), and repetition of directions is offered on at least one component by 11 states (AZ, CO, DC, DE, LA, MD, OR, SC, TX, WA, and WY). Oral reading of directions is less popular; it is allowed in four states (CO, VA, WV, and WI).

Beyond modifying the presentation of the test and directions, Table 7 shows that six states attempt to lessen the language demands of their tests by allowing the clarification of words through spelling, defining and explaining vocabulary (AZ, CO, FL, MT, NV, and WY). Four states attempt to provide clarification by highlighting key words (KS, ND, OR, and VA).

As shown in Table 7, two states, Kansas and Maine, go beyond offering limited modifications to either the questions or directions. They have developed simplified/sheltered versions of their assessments.

An *English language accommodation* addressed by the states does not affect the presentation of the assessment: allowing the student to dictate his/her answer, as shown in Table 8. This accommodation is allowed on at least one component by 16 states (CO, DE, KS, MD, ME, MI, MO, MT, ND, NH, OR, RI, VA, VT, WI, and WY).

Figure 13 illustrates that the remaining accommodations, those that account for the majority of accommodations addressed in state policies, are non-linguistic. For a detailed description of the results regarding *non-linguistic accommodations*, please refer to Figure 11 and the corresponding discussion in the previous section.

By reclassifying allowable accommodations based on a linguistic classification scheme, it is apparent that both *native language accommodations* and *English language accommodations* are offered less frequently by the states than *non-linguistic accommodations*. Similarly, if we apply the linguistic classification scheme to prohibited accommodations, we find that nearly all prohibited accommodations are linguistic (See Table 10).

Figure 14 summarizes the prohibited accommodations based on whether they are *native language accommodations*, *English language accommodations* or *non-linguistic accommodations*.

The only *non-linguistic accommodations* that are prohibited are out-of-level testing and accommodations that are not used in daily classroom and testing situations, both of which are prohibited by North Carolina. The remaining prohibited accommodations are *linguistic accommodations*.

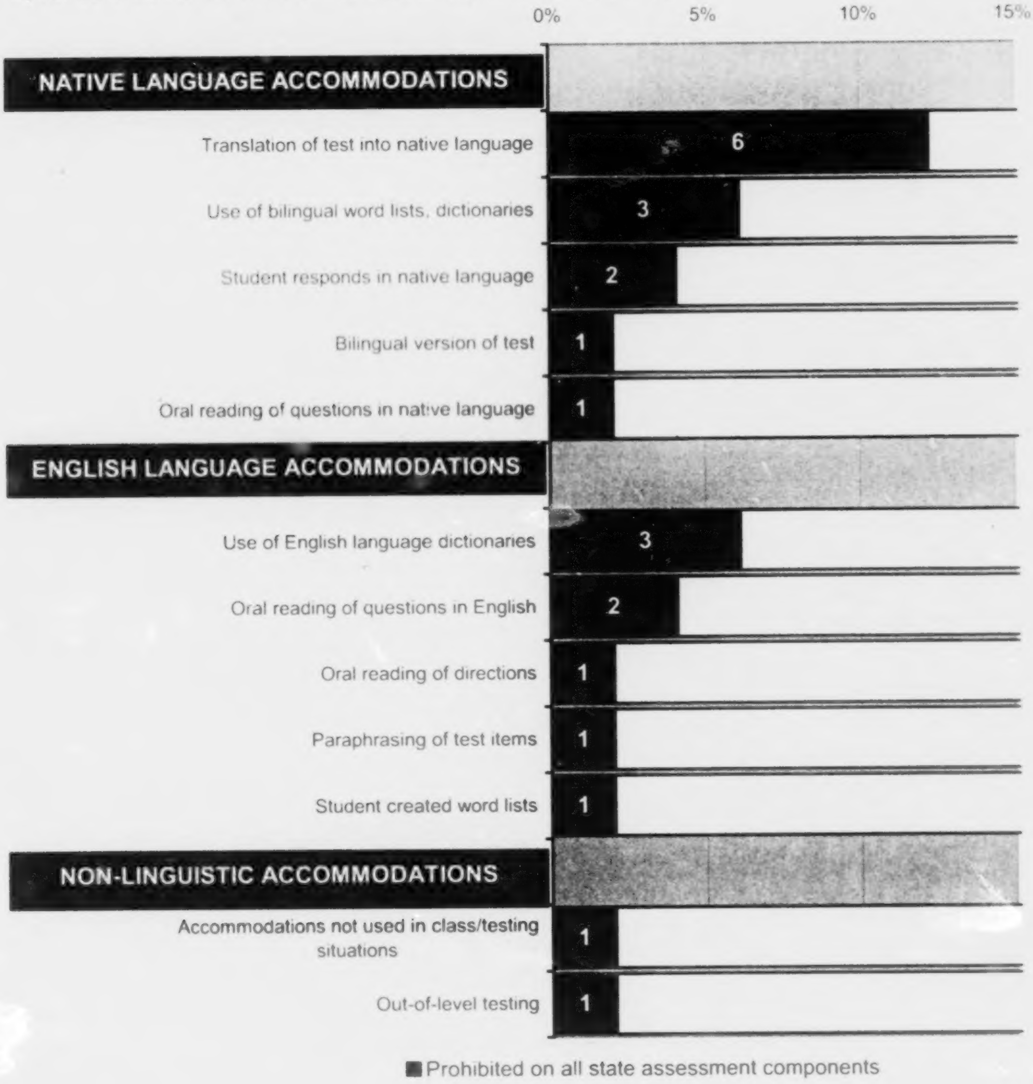
---

[11] Explanation of directions includes the paraphrasing of directions. In at least one state, Minnesota, this is allowed as early as days before the test, but not at the testing time.

The least used accommodation is test translation, which is explicitly prohibited by six states (DC, IL, IN, NJ, PA, and WV). Pennsylvania also prohibits bilingual tests. (In contrast, as discussed earlier, 15 states allow some type of test translation.) Other prohibited *native language accommodations* are the use of bilingual word lists or dictionaries, prohibited by three states (NV, TN, and TX), allowing the student to respond in his or her native language (KY and PA), and oral reading of questions in native language (PA).

Prohibited *English language accommodations* are use of English language dictionaries (FL, NC, and NY), oral reading of questions in English (PA and TN), oral reading of directions (TN), paraphrasing of test items (WY), and the use of student created word lists (WA).

Figure 14. Linguistic classification of individual accommodations prohibited by number and percent of states (N=49 states with statewide assessments)



Reporting Scores

Once a state has decided to use accommodations, it must also decide how the accommodated students' scores will be reported. The state may include or exclude the scores in state, district and/or school totals, or it may do both.

Figure 15 provides a summary of score reporting policies used by the states that allow accommodations. Nine states indicate that when specific accommodations are used, scores are not to be included in state, district and/or school totals (DE, KS, MD, MS, ND, OR, VA, WV, and VT). Eight states have a policy requiring the scores of ELLs who have received accommodations to be included in state, district, and school totals (KY, LA, ME, MI, NC, NV, TX, and WA). The remaining 20 states that allow accommodations did not supply documentation on this issue.

Figure 16 provides an overview of the number and percent of states that address score reporting when specific accommodations are used. Policies on score reporting vary by the category of accommodation used. No states exclude scores that are obtained through any *setting* accommodations.

However, some states exclude scores from group totals for students who receive *timing/scheduling*, *presentation*, *response*, and *other* accommodations. As shown in Table 11, the accommodations that most frequently result in excluded scores include the provision of extended testing time (excluded on at least one component by DE, MD, MS, and VA, and on all components by ND and WV), and the oral reading of questions in English (excluded on at least one component by MD, MS, OR, and VA, and on all components by DE, ND and WV).

The following accommodations result in excluded scores on at least one component but not on all components: the use of bilingual dictionaries (VA); allowing the student to dictate the answer (MD and OR); oral reading of questions in the student's native language (OR); student responds in native language (OR); translation of the test into the student's native language (OR); the provision of frequent, extra, or longer breaks (VA); the use of an audio cassette recorder either to present the test to students who have difficulty with printed words and numbers or to allow students to respond to test questions orally (MD); and the oral reading of directions (VA).

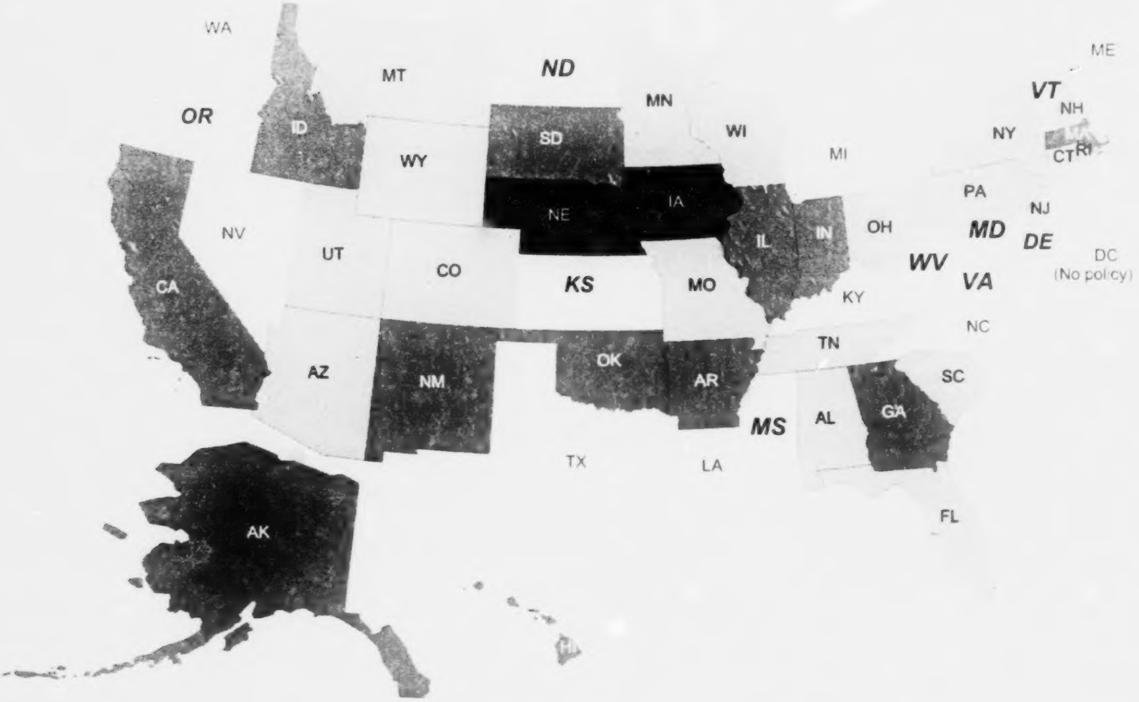
Use of the following accommodations results in exclusion of scores on all components: several shorter sessions (DE); breaks during a subtest (WV); explanation of directions (DE); use of an interpreter (DE); use of brainstorming activities (DE); the provision of frequent, extra, or longer breaks (DE); the use of an audio cassette recorder either to present the test to students who have difficulty with printed words and numbers or to allow students to respond to test questions orally (ND); the oral reading of directions (WV); translation of the test into the student's native language (DE); simplified version of the test (KS); out-of-level testing (KS); and use of a scribe to record student response to a writing prompt (DE).[12]

---

[12] Both Virginia and West Virginia have determined that oral reading of directions does not maintain standardized conditions, and therefore they do not include the scores of students who receive this accommodation.

Figure 15. Score Reporting Policy Overview

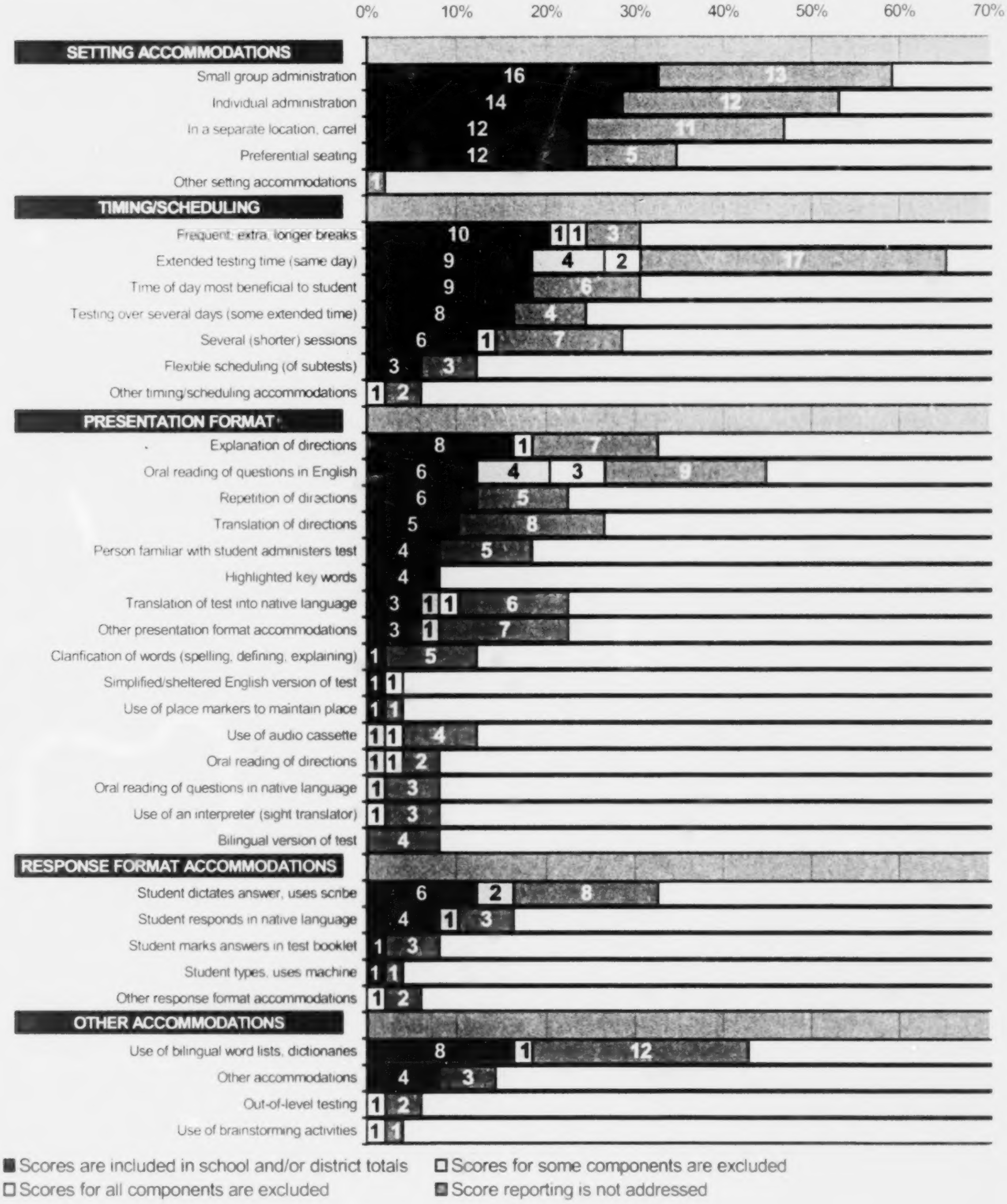
	State has no score reporting policy.	(20)
■	State has no statewide assessments.	(2)
▨	State has no accommodation policy or prohibits accommodations.	(12)
	State has score reporting policy.	(17)



- States in bold exclude some scores from state, district and/or school totals; N=9 (DE, KS, MD, MS, ND, OR, WV, VA, and VT)
- Remaining states with score reporting policy do not exclude any scores from totals; N=8 (KY, LA, ME, MI, NC, NV, TX, and WA)

BEST COPY AVAILABLE

Figure 16. Number and percent of states that do/do not report student scores by accommodation
(N=49, the number of states with statewide assessments)



BEST COPY AVAILABLE

Table 11. Score reporting policies by state
(N=49 states with statewide assessments)
a=Score reporting not addressed b=Scores included in state, district and/or school totals c=Scores for some components excluded d=Scores for all components excluded

	Setting					Timing/Scheduling							Presentation																Response					Other			
State/Accommodation	*Small group administration*	*Individual administration*	*In a separate location, carrel*	*Preferential seating*	*Other setting accommodations*	*Extended testing time (same day)*	*Frequent, extra, longer breaks*	*Time of day most beneficial to student*	*Several (shorter) sessions*	*Testing over several days (extended time)*	*Flexible scheduling (of subtests)*	*Other timing accommodations*	*Oral reading of questions in English*	*Explanation of directions*	*Translation of test into native language*	*Translation of directions*	*Repetition of directions*	*Person familiar with student administers test*	*Clarification of words in English*	*Use of audio cassette*	*Oral reading of questions in native language*	*Bilingual version of test*	*Oral reading of directions*	*Use of an interpreter (sight translator)*	*Highlighted key words*	*Use of place markers*	*Simplified/sheltered English version of test*	*Other presentation format accommodations*	*Student dictates answer, uses scribe*	*Student response in native language*	*Student marks answers in test booklet*	*Student types, marks answers using machine*	*Other response format accommodations*	*Use of bilingual word lists, dictionaries*	*Out-of-level testing*	*Use of brainstorming activities*	*Other accommodations*
AK	(Does not use accommodations.)																																				
AL	a	a	a	a		a	a	a				a	a			a		a													a	a		a			a
AR	(Does not use accommodations.)																																				
AZ	a	a	a						a	a				a		a	a		a															a			
CA	(Does not use accommodations.)																																				
CO						a	a	a	a				a				a		a			a	a						a					a			
CT		a	a			a	a		a					a																							
DC	a			a		a	a			a	a			a			a									a											
DE	b	b		b		c	d		d				d	d	d		b							d					b	b			d	b		d	
FL			a			a			a				a	a				a	a															a			
GA	(Does not use accommodations.)																																				
HI	(Does not use accommodations.)																																				
ID	(Does not use accommodations.)																																				
IL	(Does not use accommodations.)																																				
IN	(Does not use accommodations.)																																				
KS	b	b	b	b			b						b												b		d		b	b					d		
KY	b												b	b	b													b						b			b
LA	b	b				b											b	b																b			b
MA						b																a								a							
MD	b	b	b	b		c	b	b		b			c				b			c								a	c			b		b			b
ME	b	b	b	b		b	b	b	b	b			b	b	b			b									b		b					b			
MI	b	b	b			b	b						b			b													b					a			
MN	a	a	a			a	a		a					a	a	a				a								a			a						
MO	a	a				a							a																a								a
MS	b	b	b	b		c	b	b					c					b																b			

BEST COPY AVAILABLE

	State/Accommodation	MT	NC	ND	NH	NJ	NM	NV	NY	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VA	VT*	WA	WI	WV	WY	**
Other	Other accommodations			b							(Does not use accommodations.)	a			a	(Does not use accommodations.)										
	Use of brainstorming activities																				a					1
	Out-of-level testing	a																			a					1
	Use of bilingual word lists, dictionaries	a	b			a			a	a				a	a					c		b			a	1
Response	Other response format accommodations																			b					a	1
	Student types, marks answers using machine																									
	Student marks answers in test booklet		b												a											
	Student response in native language	a		b								c		a				b								1
	Student dictates answer, uses scribe	a		b	a							c		a						b	a		a		a	2
Presentation	Other presentation format accommodations	a						b				b, c		a			a				a				a	1
	Simplified/sheltered English version of test																									1
	Use of place markers																							b		
	Highlighted key words			b								b								b						
	Use of an interpreter (sight translator)				a					a											a					1
	Oral reading of directions																			c			a	d		2
	Bilingual version of test											a													a	
	Oral reading of questions in native language								a			c		a											a	1
	Use of audio cassette	a		d										a							a					2
	Clarification of words in English	a						b																	a	
	Person familiar with student administers test				a										a		a	b								
	Repetition of directions							a				b			a			b				b			a	
	Translation of directions	a				a				a		b	a		a			b				b				
	Translation of test into native language						a		a			c		a				b	a		a					2
	Explanation of directions	a						a				b			a			b		b		b		b		1
	Oral reading of questions in English		b	d	a							c		a	a					c		b	a	d	a	7
Timing/Scheduling	Other timing accommodations																				a			d		1
	Flexible scheduling (of subtests)	a		b										a						b				b		
	Testing over several days (extended time)		b	b								b		a						b		b	a	b		
	Several (shorter) sessions		b	b	a							b					a			b				b		1
	Time of day most beneficial to student			b	a			b				b		a						b		b	a	b	a	
	Frequent, extra, longer breaks			b	a							b	a	a				b		c	a	b	a	b	a	2
	Extended testing time (same day)	a	b	d		a		b	a	a		b	a	a	a			b		c	a	b	a	d	a	6
Setting	Other setting accommodations				a																					
	Preferential seating			b	a			a				b		a				b		b		b	a	b		
	In a separate location, carrel		b	b	a	a		b	a			b	a	a				b		b		b			a	
	Individual administration			b	a			b	a			b		a	a		a	b		b	a	b		b	a	
	Small group administration	a		b	a			b	a			b		a	a		a	b		b		b	a	b	a	

*Although Vermont excludes some scores from totals, it does not specify which accommodations cause exclusion. Therefore, individual accommodations are marked as "a".

**This row lists number of states that exclude scores from state/district or school totals on all or some components.

BEST COPY AVAILABLE

BEST COPY AVAILABLE

Alternate Assessments

Alternate assessments are formal tests or assessment procedures that may be used when standard assessments are inappropriate for the student due to lack of language proficiency or other matters. Alternate assessments are not parallel to the standard assessment in format or content. Often, they are based on different content standards. The concept of an alternate assessment, like the concept of accommodations, originates in the field of special education, where such assessments are provided to students with significant physical or cognitive disabilities. For the testing of ELLs, alternate assessments should be designed to accommodate their limited English proficiency. Thus, an alternate assessment may be considered a type of accommodation, in that it addresses the particular needs of the ELL in a test situation.

In this study, state policy documents were reviewed in order to understand if alternate assessments are used to assess ELLs. The information recorded in sections 1.7 and 1.8 in each state's report indicates if alternate assessments are allowed or available for ELLs and if the state policy specifies any particular alternate assessments or provides any other guidance on the subject.

As shown in Figure 17, the majority of states with statewide assessments (27) have no policy regarding alternate assessments. Twenty-two states have a policy to allow or prohibit alternate assessments. Fifteen states offer alternate assessments to ELLs (AR, AZ, IL, KY, MT, NC, ND, NJ, NM, OH, OR, TX, VT, WI, and WY). Seven states explicitly prohibit their use (CA, GA, KS, LA, MN, RI, and SC). It is likely that states that prohibit alternate assessments do so because of the concern that their scores are not comparable to those of the standard assessment. Indeed, some states may feel that alternate assessments are a threat to the imposition of common standards for all students.

Information from the 15 states that offer alternate assessments varies greatly in detail and content. The types of information addressed include whether alternate assessments are required of students not participating in state assessments, who should be given the assessments, what types of assessments are allowed, and whether scores from students who took alternate assessments are to be included in state reports. Few states have a policy that provides information in all these areas. Therefore, in general it can be said that state policies regarding alternate assessments for ELLs lack detail.

A review of state documents reveals the following:

1. Alternate assessments are required for those students not participating in the state assessment in six states (AR, IL, MT, NM, TX, and WI).

2. Four states specify the number of years that an ELL may be given an alternate assessment (AR, IL, KY, and WY).

3. In two states the specified alternate assessments are simply the existing state assessments presented orally (OH) or in the student's native language (KY). These accommodations would not be considered alternate assessments in other states.

4. Five states allow the use of an alternate assessment in the student's native language (NM, KY, WY, NJ, and WI). Two states specify that commercially published tests be given to Spanish-speaking students (AZ and NM). Arizona specifies the test; New Mexico does not.

5. Two states use state-developed tests as alternate assessments for ELLs (IL and WI). In both states, the focus of the alternate assessments is in transition from language proficiency skills to content-based knowledge.

6. Three states specify that portfolio assessments may be used as alternate assessments (KY, NC and TX).

7. Two states specify the allowance of performance assessment or other authentic assessment methods (NJ and NC).

8. Two states provide considerable guidance to districts as to other appropriate test formats, methods, and indicators of the state content competencies (NM and WI).

9. One state, New Mexico, which has a high school exit exam, permits ELLs to take an alternate assessment of its high stakes exam. The district can create this alternate assessment. A student may take the Spanish version of the state exam, if appropriate.

10. One state, Wisconsin, has developed a comprehensive manual for developing alternate assessments for ELLs.

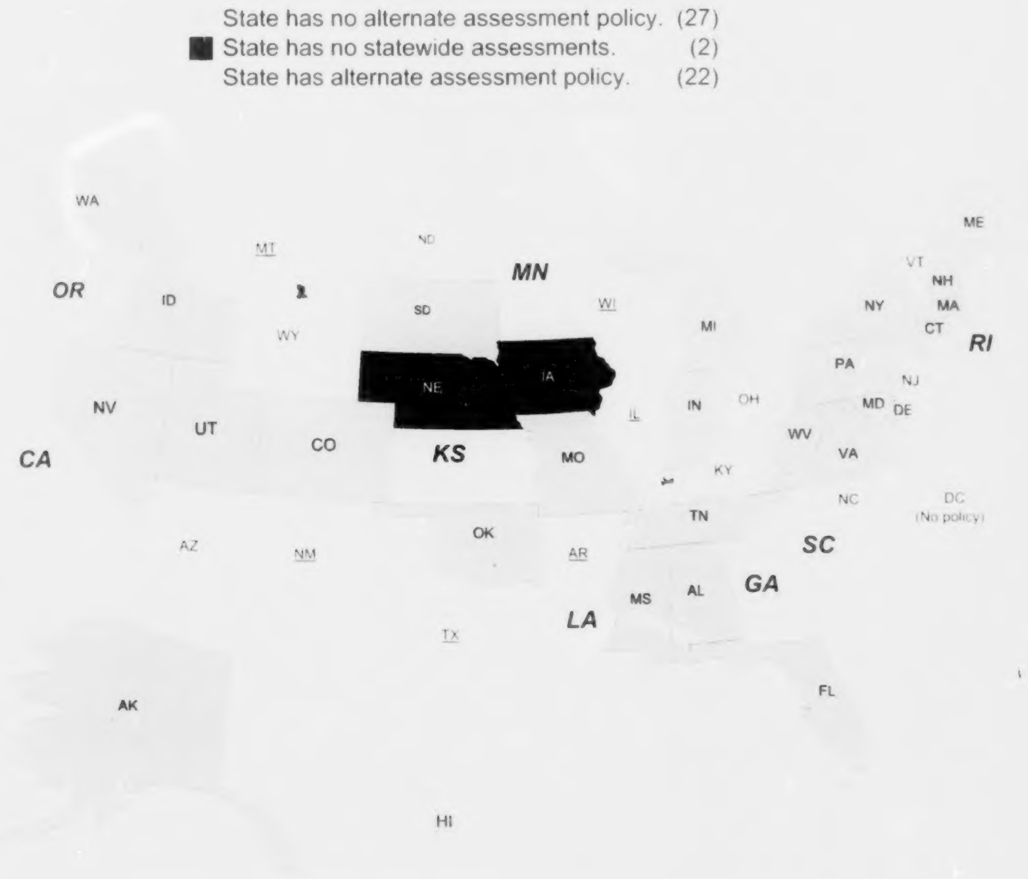
11. Half of the states that have alternate assessment policies use the term "alternate assessment" interchangeably with "alternative assessment."

To provide a more detailed and accurate description of state policies regarding alternate -- and "alternative" -- assessments, policies of the individual states are provided in Appendix C. In a few cases, state policies are summarized. In the majority of cases, the policy is stated verbatim from the state documents. This is done to avoid any misrepresentation of the intent of the state policies caused by the variability in usage of the terms "alternate" and "alternative."

Examination of the written references and discussions of alternate assessment for ELLs in state documents indicated that the discussion of this subject is often minimal and lacking in detail and focus. The 15 states whose policies are summarized in Appendix C are the only states whose policies allow for some type of alternate assessment. Generally, policies in most of the 15 states are sufficiently vague as to offer little or no help to local districts and schools in deciding on alternate assessment measures. In most states, it is unclear from the policies whether the alternate assessments are to be parallel in format and content, and whether they will be based on the same standards as the regular assessment. Similarly, the state policies usually do not define whether and how scores from alternate assessments are to be reported.

The examination of alternate assessment policies and measures in states that have made more rigorous efforts -- Montana, Vermont, and Wisconsin -- can provide substantial information to other states seeking to develop alternate assessment programs for ELLs. The alternate assessment programs developed in these three states provide more options for ELL participation in the states' assessment programs.

Figure 17. Alternate Assessment Policy Overview


State has no alternate assessment policy. (27)
■ State has no statewide assessments. (2)
State has alternate assessment policy. (22)
WA
MT
ND
MN
ME
VT
NH
OR
ID
SD
WI
NY
MA
MI
CT
RI
WY
PA
NE
IA
NJ
NV
IL
IN
OH
MD
DE
UT
WV
CA
CO
KS
MO
VA
KY
NC
DC
(No policy)
TN
OK
SC
AZ
NM
AR
GA
MS
AL
LA
TX
FL
AK
HI

- States in bold do not allow alternate assessments; N=7 (CA, GA, KS, LA, MN, RI, and SC)
- Remaining states with policy allow alternate assessments; N=15
- Underlined states require alternate assessments be given to students not participating in state assessments; N=6 (AR, IL, MT, NM, TX, and WI)

BEST COPY AVAILABLE

Summary of State Policies

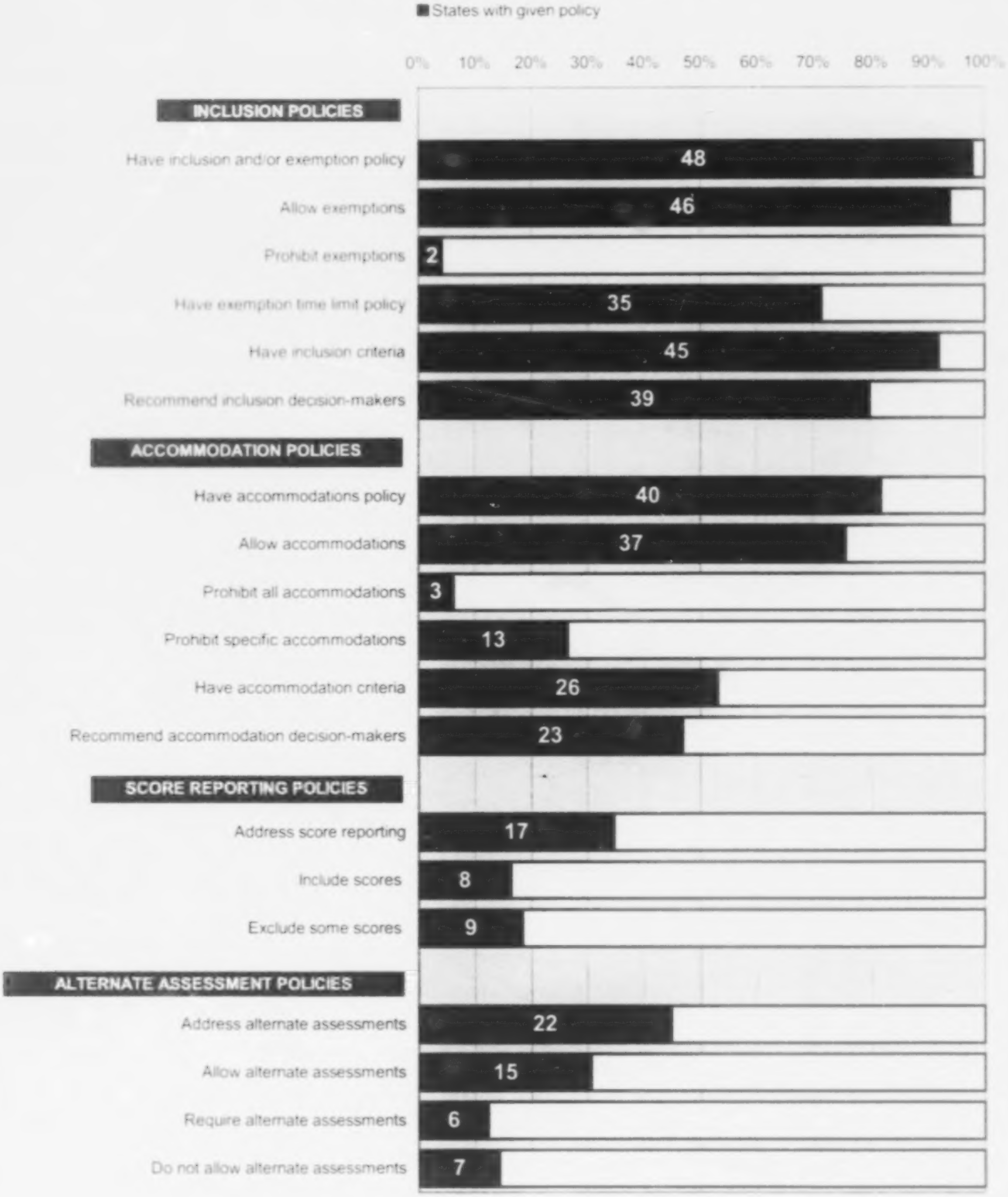
Figure 18 provides a visual summary of inclusion and accommodation policies by number and percent of states. It shows that nearly all states (48) have an inclusion or exemption policy statement. Forty-six states allow exemptions; two states prohibit exemptions. Thirty-five states have a policy regarding exemption time limits. Forty-five states have policies that address the issue of inclusion criteria. Thirty-nine states indicate who should make the inclusion or exemption decision.

Forty states have accommodation policies. Accommodations are allowed by 37 states, and 13 of these states prohibit at least one type of accommodation. Three states prohibit all accommodations. Twenty-six states have policies that include accommodation criteria. Twenty-three states identify accommodation decision-makers.

The effects of accommodations on score reporting are not discussed in the documents submitted by 20 of the 37 states that allow accommodations. The 17 states that do discuss the effect of accommodations on score reporting are divided on the issue. Eight states include the scores of accommodated students in state, district and/or school totals. Nine states exclude some scores.

Alternate assessments are addressed by 22 states. Fifteen states allow alternate assessments; seven states do not. Of the 15 states that offer alternate assessments, six require an alternate assessment be given to students who are not included in the regular state test.

Figure 18. Summary of inclusion and accommodation policies by number and percent of states (N=49 states that have statewide assessments)



BEST COPY AVAILABLE

VI. Discussion

Introduction

The analysis of state policies reveals that in the 1998-1999 school year, almost all states (48) had policies in place that address the inclusion and exemption of ELLs in state assessment programs. In addition, most states had policies for identifying ELLs (41 states) and for accommodating ELLs in their state assessments (37 states). Little more than one-third of the states (18) provided documents that address the issue of reporting ELL test scores, and fewer states (15) offer alternate assessments. These data indicate that states are at varying stages of implementing policies to include ELLs in state tests. The inclusion of ELLs is a vital element in ensuring that all students are expected to reach the same standards.

State policy documents vary in length and focus. Some states provide minimal information. For example, Georgia's policy states, "LEP students shall participate in all state assessments unless the school and the parent(s) or guardian(s) agree it is not in the best interest of the student to participate at this time." This one sentence alludes to inclusion, exemption, and relevant criteria and decision-makers. It is essentially the only mention of these issues in all the state documents provided.

Accommodation policies in some states are also very brief. For example, Tennessee states, "Modifications in testing may include the following. •Flexible Scheduling: Administer the test in shorter sessions. •Flexible Setting: Have the test administered individually or in small groups by a person(s) familiar to the student. No part of the [test], including internal test directions and test items, may be read to students. Translation dictionaries may not be used."

The format in which policies are presented varies greatly. Documents submitted by states that contained information relevant to the analysis ranged from one-page memos to grant-funded reports to actual state codes. Regardless of their length or format, a look at state policies suggests trends in how states are handling the issue of including and accommodating ELLs in state assessment programs. A focused look at each aspect of ELL participation in state assessments helps identify these trends.

Top Ten States. Efforts to describe a national picture of ELL inclusion and accommodation policies require a look at relevant policies in all states, regardless of the density or scarcity of the ELL population in any one state. However, since it is likely that states with higher ELL populations would have developed more detailed and comprehensive policies than states with fewer ELLs, a subgroup of ten states with the highest ELL populations was analyzed. It may be expected that a focus on the states with higher ELL populations would identify the state-of-the-art in ELL inclusion and accommodation policies. The "top ten" states are, in order of ELL population, California, Texas, Florida, New York, Illinois, Arizona, New Mexico, Washington, New Jersey, and Massachusetts (Macias, 1998).[13] These states account for 82.8 % of the total ELL population in U.S. public schools, with California alone accounting for 40%. A brief description of relevant findings from a review of state policies in the "top ten" states follows each sub-section of this *Discussion* section.

Definition and Identification of ELLs

The definition of ELLs came to be a point of interest. Though the request for documentation did not specifically ask states to submit a definition of ELL, as we analyzed the state documents, we noticed two emerging trends: 1) for eight states, a definition of ELLs was not included in the documents submitted; and, 2) of the 41 states for which a definition was provided, there was a broad range of detail and focus across definitions, as discussed in the Results section. This finding is neither new nor insignificant. To reiterate a point that has been made previously (August, et al., 1994; O'Malley & Pierce, 1994; Rivera, et al., 1997; Spicuzza, et al., 1997), the definition and identification of ELLs may be the first step in determining the degree of ELL participation in state tests, and a means of accumulating complete and accurate information on the student population. Varying definitions, and poor or non-existing definitions, across states can lead to inconsistent practices in classifying ELLs and determining ELL participation.

---

[13] The state census report for 1996-1997 provides the latest available data.

Top Ten States. There is a lack of consensus in ELL definitions across the top ten states. Of the eight states that provide a definition of LEP (FL, IL, MA, NJ, NM, NY, TX, and WA), one state uses the Federal Register definition (FL), as described on page 17 of this report. The remaining seven states use a definition unique to the state. Two states do not include a definition in their assessment policy documents (AZ and CA).

Inclusion/Exemption Policies

The analysis of inclusion/exemption policies focuses on four major aspects of the inclusion/exemption decision:

1. Does the state have an exclusion/exemption policy?

2. What criteria does the state specify be used in making inclusion/exemption decisions?

3. Who does the state specify should make the inclusion/exemption decisions?

4. If the state allows exemptions, what is the maximum length of time, if any, a student may be exempted or deferred?

Inclusion/Exemption Criteria

The analysis of state assessment documents showed that 48 states have inclusion/exemption policies. A look at the criteria used in making inclusion/exemption decisions, as specified by state policies, shows four notable tendencies:

1. State policies tend to specify the use of one or two, rather than multiple, criteria in inclusion or exemption decision-making.

2. The two most commonly specified criteria are the assessment (both formal and informal) of a student's English proficiency, and the amount of time a student has spent either in the U.S., in a public school in the state, or in a special program.

3. States that specify more than two criteria tend to list a student's enrollment or placement in a special program as one of the criteria.

4. Criteria that might be classified as *academic* are specified by only a few states. These criteria include performance in schoolwork, academic background in another country, and teacher observations and recommendations.

These trends seem to be based on the belief that there is a specific identifiable point at which inclusion or exemption becomes justifiable. That point can be a specific score or level achieved on a proficiency test, or a specific length of exposure to English or to the school curriculum. Proficiency level and time may be useful in combination with other factors to form an overall picture of a student's degree of preparedness for taking a standardized test. However, it is arguable whether these criteria consistently provide enough information to make an informed inclusion/exemption decision, in and of themselves.

The use of one or two criteria, rather than multiple criteria, to determine inclusion or exemption can lead to inaccurate decisions. Given the limited amount of information any one criterion can provide, state policies should require schools to gather more complete information on a student and to consider multiple factors when deciding on a student's participation in state tests.

The occurrence of either criterion (language proficiency or time) as the only criterion considered for inclusion/exemption decisions -- as it is in the case of 17 states -- is notable, particularly in light of the limitations of each.

Proficiency tests can be a good indicator of certain English language skills, but such tests typically do not test all skill areas, nor do they address a student's *academic* skills. Consequently, the information provided by these tests can give an incomplete picture of a student's level of preparedness for taking a standardized test.

Similarly, the use of time criteria offers incomplete and insufficient information on whether a student is fit for inclusion or exemption.

The infrequent use of *academic* criteria in decision-making is notable. As an indication of a student's preparedness for taking a standardized test, a student's academic background would seem to be a valid criterion. Therefore, perhaps states need to specify *academic* criteria in addition to the factors considered when making inclusion/exemption decisions. Academic background can be a useful consideration in cases where the native language schooling is strong but the language proficiency or time in school is marginal or weak. A student with a strong academic background who does not meet a time criterion may well be capable of participating in the assessment and may benefit from participation.

Top Ten states. All of the ten states with the highest ELL populations have inclusion/exemption policies. Nine states (AZ, FL, IL, MA, NJ, NM, NY, TX, and WA) allow exemptions; California does not. Consistent with national tendencies, policies in the states with large ELL populations specify language and time criteria most frequently. One finding of note is program placement as the most frequently specified criterion, an indication that special programs designed for ELLs are in place in states with large numbers of ELLs. One other finding that is consistent with the national trend is the general absence of consideration of academic factors in inclusion/exemption decisions. Two of the states in this category (NY and TX) consider performance on other tests; Texas is the only state that considers a student's performance in schoolwork. Regarding the number of criteria used, four of the nine states in this category that allow exemptions have policies that specify only one criterion (AZ, FL, NM, and NY), one state specifies two criteria (WA), and four states specify more than two criteria (IL, MA, NJ, and TX); this is also generally consistent with policies across the nation.

Inclusion/Exemption Decision-Makers

Of the 48 states with inclusion/exemption policies, 39 address the issue of decision-makers. A close look at these 39 states' policies indicates a tendency to specify use of a team approach for making inclusion/exemption decisions. Policies typically specify teams that consist of three to five members, including a principal or other school official, the student's parent(s) and/or guardian(s), the student's regular classroom teacher, and one or two other members. Noticeably absent is specific mention of individuals with professional knowledge of language learning processes (e.g., ESL or bilingual teachers). To decide if a student should participate in state testing, a person with professional knowledge of language learning processes can provide valuable information to the decision-making process. While it may be the intention of state policies that such persons be included as members of decision-making teams, it is unfortunate that only five states indicate that a student's ESL or bilingual teacher, who are presumably knowledgeable about language learning processes, take part in the decision-making process.

Top Ten States. Policies regarding inclusion/exemption decision-makers in the states in this category are consistent with national tendencies. State policies most frequently specify that decision-makers include unspecified committee members and school/district officials, each specified by half the states. Five states specify school/district officials (AZ, MA, NM, NY, and WA). Four states' policies indicate that decision-makers include unspecified committee members (FL, IL, NJ, and NM). In Texas, members of the Language Proficiency Assessment Committee are to include a professional bilingual educator, a professional transitional language educator, a parent of a limited English proficient student, and a campus administrator. Washington is the only other state in this category that specifies that a person with professional knowledge of language learning processes, an ESL/bilingual/migrant specialist, take part in the decision-making process. The specification of parents or guardians appears in the policies of two states (AZ and WA). This represents a rate of twenty percent, which is somewhat less than the forty percent national average.

Accommodation Policies

With respect to the accommodation of ELLs in state assessments, the purpose of the policy analysis was to identify the number of states that allow (37) and/or prohibit (23) specific accommodations, as well as to answer the following questions.

Regarding the decision-making process:

1. What criteria does the state specify should be used to decide on accommodations for any one student?

2. Who does the state specify should make the decision?

Regarding the specific use of accommodations, across states:

1. Which accommodations are most frequently offered?

2. Which accommodations are least frequently offered?

3. Which accommodations are most frequently prohibited?

Accommodation criteria

A total of 37 states have a policy that allows accommodations for ELLs. Regarding the criteria specified in state policies for accommodation decision-making, the most frequently specified criterion is "Those accommodations which are used in a student's routine classroom situation." This criterion is specified by 21 states, including 13 states in which it is the only criterion specified. The predominance of this criterion seems easily justifiable, perhaps too easily. An attempt to fully understand the reasoning and dynamics behind this policy decision can lead to speculation in many areas.

The practice of extending the use of classroom accommodations into testing situations first developed out of the attempt to address the needs of students with disabilities, whose classroom accommodations have long been tracked by their Individualized Education Plan (IEP). In comparing education policies and practices established for ELLs to those of students with disabilities, it is important to note that, unlike students with disabilities, ELLs do not have IEPs. In the absence of IEPs for ELLs, it might prove difficult for states to identify which accommodations, if any, are routinely provided to each ELL. To the extent that this is the case, the determination of appropriate accommodations for ELLs may prove to be a more difficult task than it is for students with disabilities. While it is possible that some accommodations offered to students with disabilities may be beneficial to some ELLs, attention to the question of how best to choose ELL accommodations should be addressed independently from consideration of policies established for students with disabilities.

Close consideration of the use of classroom accommodations, as applied to the ELL population, might lead to further speculation as to which accommodations fit the description of being part of a student's routine classroom situation. Use of a bilingual dictionary might seem a likely choice, and, in fact, is an allowable accommodation in 21 states. Identification of other accommodations that fit this description, however, might prove difficult.

Top Ten States. Of the ten states with the highest ELL populations, only six allow accommodations (AZ, FL, NJ, NY, TX, and WA). Two have no accommodation policy (CA and MA), and two states prohibit accommodations (IL and NM). New Mexico does, however, allow the administration of Spanish language versions of tests. Of the six states that allow accommodations, only two specify a criterion to be used in the decision-making process (TX and WA). As is consistent with national tendencies, the sole criterion in both states is the student's routine classroom accommodations.

Accommodation decision-makers

A look at decision-making policies reveals a tendency to suggest use of a team approach in making accommodation decisions, along the lines recommended by Rivera and Stansfield (1998). Consistent with inclusion/exemption decision-making policies, team members typically include the student's classroom teacher, a school official, the student's parent(s) or guardian(s), and one or two other members, often unspecified. More often than inclusion/exemption policies, accommodation policies specify that a student's classroom teacher take part in the decision-making process. This policy is appropriate, particularly in light of the tendency to specify classroom accommodations as those to be allowed in a testing situation. Another similarity to the inclusion/exemption decision-making policy is the absence of a team member with professional knowledge of language learning processes, e.g., a bilingual educator or ESL teacher.

One member notably absent from most state lists of accommodation decision-makers is the student. Rivera and Stansfield (1998) recommended asking students which accommodations they believe they need. Considering the lack of research in the area of accommodations, and the widely varying policies that exist, it is possible that student input would provide quite useful information regarding choice of accommodation(s). A student could be given a practice test, with the opportunity to try out different accommodations. The student could then decide which accommodation(s) would benefit him/her. In addition to providing valuable information from the student perspective, this practice would also provide another means of involving the student in his/her educational program.

Top Ten States. Of the six high ELL population states that allow accommodations (AZ, FL, NJ, NY, TX, and WA), four (AZ, NY, TX, and WA) specify who the decision-makers should be. School/district officials are specified by three states (AZ, NY, and TX). One state (NY) specifies a student's classroom teacher, while one state (WA) suggests unspecified committee members.

Allowance and Prohibition of Accommodations

Before turning to the specific use of accommodations, we consider the intent behind the provision of accommodations, and how this might relate to their use, as applied to the ELL population.

Accommodations are offered to minimize the effects of disadvantage. As applied to ELLs in testing situations, disadvantages generally fall into one of two categories. These can be identified as linguistic and other. Linguistic disadvantages are related to the student's limited English proficiency. This is a temporary condition, which can be corrected in time through exposure to and training in English. The use of certain *linguistic accommodations* can help to minimize the impact of these limitations. Other disadvantages include lack of familiarity with American culture, particularly its education system and the system of standards-based assessments.

Additional obstacles include a student's inexperience and unfamiliarity with the testing process. Some students from diverse cultural and educational backgrounds may lack experience with the test-taking process familiar to American students. Such students would likely be lacking in testwiseness and may also lack confidence in their academic abilities. These limitations may affect their interest in and motivation to perform on a standardized test. There was no evidence in any state document of accommodations that address these features of cultural background. These features can be appropriately addressed by a test preparation program, such as that described in Rivera and Stansfield (1998), and discussed in the *Review of Literature*.

Two notable patterns about the specific use of accommodations have emerged from this study:

1. The types of accommodations most frequently allowed are *setting* and *timing/scheduling accommodations*.
2. The types of accommodations least frequently offered and most frequently prohibited are those that lighten the language load of the test, i.e. accommodations that might be most beneficial to ELLs.

As enumerated in the *Results* section, the most frequently allowed accommodations fall into the *setting* and *timing/scheduling* classifications. While any one of these accommodations might be of coincidental benefit to any one student, close examination reveals that none of these accommodations is designed to meet the linguistic or cultural disadvantages of ELLs. This raises the issue of propriety: for which students were these accommodations developed, and which student needs do these accommodations appropriately address?

Let us consider the following two accommodations, both of which are among the most frequently allowed accommodations for ELLs:

1. Administering the test to one individual (an accommodation of *setting*).

2. Administering the test at a time of day most beneficial to the student (*timing/scheduling*).

An initial impression might be that these accommodations seem appropriate and may be beneficial to some students. However, it is not easy to identify which specific ELL needs these accommodations are intended to meet, or which specific limitations of the ELL these accommodations are intended to minimize. Both of these accommodations are designed to reduce test anxiety. As such, they would be beneficial to *any* student, not just an ELL. In fact, it could be argued, albeit weakly, that the provision of these presentation accommodations to any one student provides an unfair advantage to that student. If this is not a strong argument for students in general, it is not a strong argument for ELLs either. Although these accommodations might not do any harm, and might ultimately provide some positive psychological or attitudinal benefit to the ELL, they do not address the ELL's principal limitation, which is lack of English proficiency, or the ELL's lack of familiarity or readiness for formal assessment situations.

It should be expected that the allowance or prohibition of any one accommodation should include examination of the underlying assumptions that serve as a basis for that accommodation. Let us consider the possible assumptions that underlie the basis for allowing "Oral reading of questions in English," one of the most frequently allowed accommodations for ELLs. This accommodation assumes that spoken questions are more comprehensible than written questions. This is a questionable assumption because spoken questions require retention of what is heard, and both decoding and retention are affected by lack of proficiency in a language. The accommodation also assumes illiteracy in English, and that this can be offset by a student's aural comprehension. While such a configuration of second language skills is frequently found in adult immigrants working in this country, children in school situations normally acquire literacy and oral language at about the same rate. The assumption of illiteracy also means that a student with limited literacy in English would not be able to provide written answers in English to constructed response questions. Therefore, this accommodation should not be considered particularly helpful for students who have limited English proficiency. Thus, this accommodation does not seem to be designed to address the needs of an ELL.

Finally, a look at the list of *presentation accommodations* indicates a strong tendency toward ensuring that the student understands test directions. After "The oral reading of questions in English," four accommodations intended to help the student understand test directions -- the explanation, repetition, translation, and oral reading of test directions -- represent nearly 50 percent of all *presentation accommodations* allowed. Because the understanding of test directions is essential, accommodations involving test directions are appropriate for ELLs.

To facilitate discussion of the infrequency of accommodations designed to lighten the language load of the test, we again focus on a new system of classifying accommodations. With this system, we propose a framework that more appropriately addresses the needs of language learners. This framework divides accommodations into two broad types: *linguistic* and *nonlinguistic accommodations*. *Linguistic accommodations* include *English language accommodations and native language accommodations*. *Non-linguistic accommodations* consist of all those that are designed to address other (non-linguistic) characteristics of the ELL.

1. *English language accommodations*. These include the repeating, simplifying, or clarifying of test directions in English, the use of English language glossaries, the linguistic simplification of test items, the reading aloud of test questions in English, and the use of alternate assessments or alternate assessment procedures that lighten the language load of the test.

2. *Native language accommodations*. These include the use of bilingual dictionaries; the use of a translator or interpreter; the oral reading of test questions in the student's native language; the provision of bilingual, translated or adapted versions of tests; the use of assessments in the student's native language, and allowing a student to respond in his/her native language.

3. *Non-linguistic accommodations*. These include all other accommodations, such as extended time, use of a familiar examiner, testing in a separate room with other ELLs, and a special test preparation program designed to familiarize the student with the nature of formal state assessments, among others.

The policy analysis of state documents reveals a tendency of states to allow a disproportionate number of *non-linguistic* to *linguistic accommodations* for ELLs. This finding may be explained as the logical result of a combination of factors. One factor may be the history of how accommodations came to be available to ELLs. Another may be the controversial nature -- both pedagogical and political -- of some *linguistic accommodations*. A third factor may be the challenge, in terms of cost and human resources, of appropriately providing and administering some *linguistic accommodations*.

Top Ten States. Accommodation policies among the ten states with the largest ELL population reflect the national tendencies. From a traditional viewpoint, findings include the following:

1. *Setting* and *timing/scheduling accommodations* are the most frequently allowed accommodations.

2. *Presentation accommodations* are the most numerous kinds of accommodations; the ostensible purpose for their use is to ensure students understand the test directions.

From a linguistic perspective, as well, findings are consistent with national tendencies:

3. Use of bilingual word list/dictionary is the most frequently allowed accommodation.

4. Translation of the test into a student's native language is the only accommodation prohibited; it is prohibited by two of the top ten states (IL and NJ).

The History of ELL Accommodations

The recent practice of providing accommodations to ELLs is an extension of similar policies to accommodate students with physical, developmental, or cognitive limitations that has existed for some time in the field of special education. The extension of accommodations from the special education field also explains the "traditional" accommodation classification system and the pattern of availability of specific accommodations.

Many state policies list accommodations for ELLs that are more appropriately suited to students with disabilities. For example, states' lists of accommodations available to ELLs often include the following accommodations: Braille versions of tests, use of a magnifying glass, use of sign language interpreters, use of special recording equipment for student responses, test administration in a student's home, the use of masks or markers to maintain place, and extending the testing time to a point where the student seems no longer able to remain on task. Because it was evident that the state policies that contained these accommodations were developed for students with disabilities and simply transferred to documents concerning the testing of ELLs, these accommodations are not discussed in this report.

Other accommodations carried over from special education policies more likely to be of benefit to some ELLs are discussed in the report. Examples of these accommodations include individual or group administration, extended testing time, and allowing the student to dictate answers.

Nature of Linguistic Accommodations

In addition to the fact that ELL accommodations were first developed based on accommodations provided for monolingual English-speaking special needs students, another contributing factor to the infrequent availability of linguistic accommodations may be the political and financial nature of some linguistic accommodations. *Native language accommodations* can be of particular concern, specifically the use of an interpreter and the translation of tests.

The use of interpreters and assessments in the native language incurs practical problems. Interpreters with appropriate language and interpreting skills must be identified and trained in appropriate assessment practices. The creation of assessments in the native language can also be complicated. If the assessment is to be a substantially or completely different assessment, the time and effort required are equivalent to the time and effort required to develop assessments in English. If the assessment is to be essentially a translation of the standard assessment, the task is simpler, but the translation must be competently done and reviewed. Test translation requires a competent professional translator who is also trained in item writing procedures, and there are a limited number of people who fit this profile.

The political atmosphere prevalent in any one state can inhibit a state from providing native language accommodations. For example, in states that have declared English as the official language of the state, it may be neither possible nor politic to devote substantial amounts of energy and money to the development of an array of linguistic accommodations. From a financial perspective, the cost of hiring interpreters and the development of translated versions of tests can be prohibitive, particularly if the number of students to be served is small.

In light of the historical, political, financial, and practical concerns surrounding the provision or prohibition of linguistic accommodations, we suggest that states identify allowable accommodations only after having sufficiently answered the following questions:

1. Is this accommodation appropriate for ELLs? What specific need or disadvantage is it intended to address, and can it address the need or disadvantage appropriately?

2. Will use of this accommodation give the accommodated student an unfair advantage?

3. Is use of this accommodation likely to provide more accurate information on the student's knowledge and skills than would otherwise be provided?

4. Can proper provision of this accommodation be ensured, given pedagogical and practical resources available?

Despite the fact that researchers (August & McArthur, 1996; Rivera & Vincent, 1997) have called attention to the need to consider the use of accommodations on an individual basis rather than to apply them broadly to students with disabilities and

ELLs, state policies generally do not do this. In short, the assessment policies need to be more clearly delineated to address the needs of individuals and groups of English language learners. Reclassifying accommodations offered to ELLs based on linguistic factors might be a step towards providing educators with a new perspective when focusing on which accommodations actually help ELLs and which do not.

In summary, it seems that recommendations outlined in Title I, and highlighted by Stancavage and Quick (1999) are worth repeating:

"Furthermore, assessments used for Title I must provide for inclusion of LEP students, who shall be assessed, to the extent practicable, in the language and form most likely to yield accurate and reliable information on what they know and can do to determine their mastery of skills in subjects other than English. (To meet this requirement, the State shall make every effort to use or develop linguistically accessible assessment measures, and may request assistance from the Secretary if those measures are needed.)" (p. 7).

Score Reporting

The policy analysis indicates that the state policies submitted for this study typically do not address the issue of reporting ELL scores. In addition, policy documents from the 17 states that do address score reporting often lack detailed evidence of a comprehensive policy. For these reasons, description of score reporting practices in this report is limited. Since the IASA requires states to implement comprehensive policies regarding the participation of ELLs in state assessments by the 2000-2001 school year, states must address the issue of score reporting. States that have minimally addressed the issue first need to analyze where their policies fall with regard to ELLs. Next, they need to refine their ELL assessment policies to ensure that score reporting is addressed in an appropriate way.

Top Ten States. Only two of the ten high ELL populated states address score reporting in their policies (TX and WA). The policies for both states specify that test scores of ELLs are to be included in school totals.

Alternate Assessments

Data on the availability of alternate assessments seem to confirm that alternate assessments are infrequently used. Policies in less than one-half of all states (22) include some mention of alternate assessments. Of these, alternate assessments are prohibited in seven states, while 15 states allow alternate assessments. Policies from these 15 states are brief. In all cases where a description of the alternate assessment is provided, the assessment is a modified version of existing state assessments, or is a language achievement test, either in English or Spanish. Five states allow portfolio assessments, performance assessments, or other authentic assessment methods (IL, KY, NC, TX, and WI). These states require the alternate assessments be developed at the local level. The one exception to this is Kentucky, where portfolio assessment is a part of the state assessment program, and the state provides guidelines for the assessment. The lack of development of alternate assessment measures is evidence of a need for states to further examine how they are meeting ELL assessment needs.

The development of alternate assessment systems is evident in a small number of states. However, the systems generally are not in an advanced stage of development. Nevertheless, the existence of alternate assessment policies may point to the early stages of a move to provide assessments that allow flexibility in mode of expression, that are less likely to penalize a student because of language limitations, and that are more closely in line with current instructional practices than are the standard state assessments.

Although alternate assessments may likely provide appropriate means for assessing ELLs, the provision of alternate assessments needs to be approached cautiously. Close consideration needs to be given to the feasibility of the development of alternate assessments, the types of assessments appropriate for any given content area, and the comparability of alternate assessments with existing assessments. Research in these areas would be helpful to provide information for the development of appropriate alternate assessments for ELLs.

State alternate assessment policies suggest that development of an alternate assessment policy in the majority of states is slow. States in which efforts have been made shows great inconsistency in all areas of alternate assessment policies, including such fundamental issues as the meanings and usage of the terms "alternate" and "alternative" assessments. As states look to develop this aspect of their assessment programs, they need to first settle on an operational definition of the terms, before setting forth the foundations of the alternate assessment system.

Top Ten States. There is evidence of alternate assessment policies in six of the ten states in this category (AZ, CA, IL, NJ, NM, and TX). Of the six, five allow alternate assessments (AZ, CA, IL, NJ, and TX). Three of the five states require them (AZ, CA, and IL). New Mexico does not allow alternate assessments.

VII. Summary and Recommendations

Summary of Findings

Data from the analysis of state policies provide a national picture of current state policies regarding the inclusion, exemption, and accommodation of ELLs in state assessments. Bearing in mind the research questions, the analysis of state policies lead to the following conclusions:

1. Almost all states (48) have inclusion policies for ELLs. Forty-six (46) states allow some form of exemption. Of these 35 states have policies regarding exemption time limits. Most states (40) have accommodation policies.

2. State policies generally provide minimal guidance to local districts and schools.

3. State policies vary significantly in detail, in their focus on ELL assessment needs. They are often brief, lack specificity, and do not address important aspects of ELL participation in state assessments.

4. Most state policies do not specify the consideration of a student's academic background as a criterion for inclusion/exemption decision-making.

5. Most state policies do not specify that a person with professional knowledge of language learning processes, such as an ESL or bilingual education teacher, take part in deciding if a student should participate in an assessment and/or be accommodated.

6. The accommodations most frequently allowed are carried over from Special Education accommodation policies and do not specifically address the linguistic needs of ELLs.

7. Accommodations, like test translation, that would provide the greatest amount of language support for some ELLs, are among those least frequently allowed and most frequently prohibited.

8. Policies regarding alternate assessment measures for ELLs are absent from most state assessment programs.

9. Policies in the ten states with the highest ELL populations are generally consistent with those across the nation. They are characterized by a lack of consensus and comprehensiveness. One notable finding across the ten high ELL population states is the lack of policies regarding accommodations.

Recommendations

In light of efforts to provide equitable educational opportunities for *all* students, state inclusion, exemption, and accommodation policies generally need to be more fully developed. Consideration of the following recommendations can be useful to states that wish to review existing policies and revise them so that they are aligned with current legislation and good practice:

To equip local districts and schools with the tools necessary for making appropriate decisions regarding the participation of ELLs in state assessments, states need to continue to develop assessment policies that offer specific guidelines. Guidelines should be provided in seven areas.

1. The definition and identification of ELLs. Assuming availability, the definition and identification of ELLs should be included in assessment policies.

2. Inclusion, exemption, and accommodation decision-making. State policies need to direct districts and schools to consider multiple factors, including the student's academic background. State policies should also encourage professionals with knowledge of language learning processes to participate in the decision-making process.

3. Accommodation criteria. When designing accommodation policies for formal assessments states need to specify policies that rely less on general criteria (such as whatever accommodations are currently used in instruction). State policies should direct districts and schools to focus more on

a student's educational background and needs.

4. Accommodation policies. Accommodations allowed for ELLs must be designed to address specific needs of ELLs. States and LEAs should work with their test developers to address the appropriateness and validity of accommodations.

5. Alternate assessments. State assessment programs need to develop measures that are adequately aligned to curriculum, but lessen the impact of English language proficiency, and allow students the opportunity to demonstrate skills and knowledge in meaningful ways. One means of doing this is through developing alternate assessment instruments.

6. Score reporting. States need to implement policies that meet IASA requirements for reporting ELL test scores, a vital element in the task of holding schools accountable for the education of *all* students.

7. High stakes testing. Although this study did not focus on the use of tests to determine eligibility for a high school diploma, the study did identify a growing number of states that are moving rapidly in this direction. When the assessment is high stakes for the examinee, guidelines regarding inclusion and accommodations of ELLs assume increased importance. Under such circumstances, it may be appropriate to offer increased guidance or guidelines to districts. It may be appropriate for the decision-making criteria to be slightly different or more specific in such circumstances. For example, English language proficiency might be more important than number of years in the U.S. under such circumstances.

Recommended Research

As IASA implementation deadlines approach, the development of new state policies is a major focus of many states. Indeed, during the time that this study has taken place, several states have submitted documents relating policy changes regarding ELLs in state assessment systems, many of which are to have gone into effect beginning in the 1999 - 2000 school year. As policies are being further developed, it is advisable that descriptive and experimental research be conducted at the national and state levels. At the national level, state policy documents should be gathered and analyzed at least every two years in order to keep pace with the constant changes in the ways that states address the assessment needs of ELLs. The regular gathering of policies would identify new polices and provide an updated picture of ongoing efforts of states to include and accommodate ELLs in state assessment programs.

At the state and district level, research should focus on both policy and implementation studies regarding inclusion and accommodation policies for ELLs. The following topics of study should be pursued:

- Regarding inclusion policies, a survey of states is needed to determine the number and extent to which ELLs in each state are participating in state assessment programs including participation in alternate assessments. Assessment case studies should also be conducted to document implementation practices at the district and school level.
- Regarding accommodation policies, research in districts and schools is needed to examine accommodations used and their utility and effect on ELL scores, and on school and district test scores. The goal of this research would be to identify accommodations that enable ELLs to demonstrate content knowledge by minimizing interference caused by limited English proficiency.[14]
- Regarding score reporting policies, an implementation study is needed to

---

[14] While it would be an ideal situation if all accommodations were studied in terms of their appropriateness and impact before being allowed, in many cases, this is far from practical. Like other worthwhile educational innovations, the provision of accommodations cannot wait until a research base for them has been compiled. Instead, educators should use good judgment and then study the effects and adequacy of the policies they have set.

determine how scores of ELLs, whether tested under standard or non-standard conditions, are treated at the state, district and school levels. In addition, it is important to analyze the effects of score reporting policies on the student and his/her education.

- Regarding alternate assessment, research is needed to determine the comparability between state standards and alternate assessments, as well as the degree of correspondence between standard and alternate assessments. Of particular interest is the issue of how ELL inclusion in assessment programs affects instruction in the content area.

Findings from these kinds of studies should inform states' and provide "best practice" ideas that can help states improve ELL inclusion and accommodation policies.

Other Recommendations

Given the importance of standards-based assessment to education reform, and the importance of appropriate accommodations to the successful incorporation of ELLs into the current reform effort, the following two recommendations are warranted:

1. It would be appropriate for the U.S. Department of Education (ED) to provide leadership and support to states related to inclusion and accommodation of ELLs. A useful first step in this process would be for ED to host a national conference on ELL inclusion and accommodation policies and practices and on research related to these issues.

2. The inclusion and accommodation of ELLs should be an integral part of the training ED offers to states on the subject of standards and assessment. An issue that is an integral part of training is one that is considered in-depth and interwoven into all presentations.

References

Abedi, J. (1999). *Examining the effectiveness of accommodation on math performance of English language learners*. Unpublished manuscript, University of California, Los Angeles, National Center for Research on Evaluation, Standards, and Student Testing.

August, D., Hakuta, K., & Pompa, D. (1994). For all students: Limited English proficient students and Goals 2000. *Occasional Papers in Bilingual Education*, 10 (1994):4.

Collier, V.P. (1992). A synthesis of studies examining long-term language minority student data on academic achievement. *Bilingual Education Research Journal, 16*(1 / 2), 187-221.

Council of Chief State School Officers (1997). *Annual Survey of State Assessment Programs.* Washington, DC: Author.

Council of Chief State School Officers (1998). *Annual Survey of State Assessment Programs.* Washington, DC: Author.

Cummins, J. (1989). *Empowering language minority students*. Sacramento, CA: California Association for Bilingual Education.

DeVito, P. (1997, March). *The issue of accommodations to include LEP students in state assessment: The Rhode Island Perspective*. Paper presented at the Annual Meeting of the National Council on Measurement in Education, Chicago, IL.

Hambleton, R. (1994). Guidelines for adapting educational and psychological tests: A progress report. *European Journal of Psychological Assessment*, 10(3), 229-244.

LaCelle-Peterson, M., & Rivera, C. (1994). Is it real for all kids? A framework for equitable assessment policies for English language learners. *Harvard Educational Review. 64 (1)*, 55-75.

Lachat, M. A., & Brown, S. A. (1998). *Views from the field on policies to include students with limited English proficiency in statewide testing*. Providence, RI: Brown University, Northeast and Islands Regional Educational Laboratory At Brown University.

Lara, J., & August, D. (1996). *Systemic reform and limited English proficient students*. Washington, DC: Council of Chief State School Officers.

Liu, K., Anderson, M., Swierzbin, B., & Thurlow, M. (1999). *Bilingual accommodations for LEP students on statewide reading tests: Phase 1* (Minnesota Report 20). Minneapolis, MN: University of Minnesota, National Center for Educational Outcomes.

Liu, K., Spicuzza, R., Erickson, R., Thurlow, M., & Ruhland, A. (1997). *Educators' responses to LEP students' participation in the 1997 Basic Standards Testing* (Minnesota Report 15). Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes.

Macias, R. F. (1998). *Summary report of the survey of the states' limited English proficient students and available educational programs and services, 1996-97*. Washington, DC: National Clearinghouse for Bilingual Education.

Miller, E. R., Okum, I., Sinai, R., & Miller, K. S. (1999). *A study of the English language proficient students to participate in New Jersey's statewide assessment system.* Paper presented at the National Council of Measurement in Education Meeting, Montreal, Canada.

National Association of State Boards of Education (1997). *The full measure: Report of the NASBE study group on statewide assessment systems.* Alexandria, VA: National Association of State Boards of Education.

Office of Bilingual Education and Minority Language Affairs (1999). *Work Scope Statement.* Washington, DC: Author.

Olsen, K. (1998). *What principals are driving development of state alternate assessments?* Lexington, KY: University of Kentucky, Mid-South Regional Resource Center, Interdisciplinary Human Development Institute.

Olson, J. F., & Goldstein, A. A. (1997). *The inclusion of students with disabilities and limited English proficient students in large scale assessments: A summary of recent progress* (NCES 97-482). Washington, DC: Office of Educational Research and Improvement, National Center for Education Statistics.

O'Malley, J.M., & Valdez Pierce, L. (1994). State assessment policies, practices, and language minority students. *Educational Assessment, 2,* 212-255.

Rivera, C., & Stansfield, C. (1998). Leveling the playing field for English language learners: Increasing participation in state and local assessments through accommodations. In R. Brandt (Ed.), *Assessing student learning: New rules, new realities* (pp. 65-92). Arlington, VA: Educational Research Service.

Rivera, C., & Vincent, C. (1997). High school graduation testing: policies and practices in the assessment of English language learners. *Educational Assessment, 4 (4),* 335-355.

Rivera, C., Vincent, C., Hafner, A, & LaCelle-Peterson, M. (1997). *Statewide assessment programs: Policies and practices for the inclusion of limited English proficient students.* ERIC Digest. Washington, DC: ERIC Clearinghouse on Assessment and Evaluation (ERIC/AE Digest Services EDO-TM-97-02)

Shepard, L. A., Taylor, G. A., & Betebenner, D. (1999). *Inclusion of limited-English proficient students in Rhode Island's Grade 4 Mathematics Performance Assessment.* Center for the Study of Evaluation Tech. Rep. No. 486. Los Angeles: University of California at Los Angeles, National Center for Research on Evaluation, Standards, and Student Testing.

Sireci, S.G. (1997). Problems and issues in linking assessments across languages. *Educational Measurement: Issues and Practices.* 16(1), 12-19.

Spicuzza, R., Erickson, R., Thurlow, M., Liu, K., & Ruhland, A. (1996). *Input from the field on assessing students with limited English proficiency in Minnesota's Basic Requirements Exams* (Minnesota Report 2). Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes.

Stancavage, F., & Quick, H. (1999). *Laws and regulations, current practice, and research relevant to inclusion and accommodations for students with limited English proficiency in the Voluntary National Tests.* Paper presented at the meeting of the American Education Research Association, Montreal, Canada.

Stansfield, C. W. (1996). *Content assessment in the native language.* ERIC Digest. Washington, DC: ERIC Clearinghouse on Assessment and Evaluation (ERIC/AE Digest Services EDO-TM-96-02)

Stansfield, C.W. (1997). *Experiences and issues related to the format of bilingual tests.* Springfield, VA: ERIC Document Reproduction Service, ED 419002.

Stansfield, C.W. & Kahl, S. (1998). *Tryout of Spanish and English versions of a state assessmeht.* Springfield, VA: ERIC Document Reproduction Service, ED 423306.

United States Congress (1994). *Improving America's Schools Act.* PL 103-382. (Section 1111(b)(3); subsections 200.1(b)(2) and 200.4). Washington, DC: Government Printing Office.

United States Department of Education (1999). *Peer review guidance for evaluating evidence of final assessments under Title I of the Elementary and Secondary Education Act.*

United States General Accounting Office (1994). *Limited English proficiency: A growing and costly educational challenge facing many school districts.* GAO/HEHS-94-38.

Appendix A

Correspondence

Original mailing sent to State Title VII Directors

The George Washington University

Center for Equity and Excellence in Education

April 27, 1999

Name
Organization
Address
City, State, Zip

Dear ,

Since the reauthorization of the Elementary and Secondary Education Act in 1994, there have been substantial changes in the way states include Limited English Proficient (LEP) students in state assessment programs. States that formerly had no LEP inclusion policies have begun to develop these policies. LEP students who were routinely excluded from assessments in some states have begun to be included; and in some states state assessment policies allow LEP students to be accommodated as well.

Since each state is at a different point on this continuum, a variety of policies on inclusion and accommodation exist. In order to understand what policies are being implemented as states move towards greater accountability for LEP students, OBEMLA has asked the Region III Comprehensive Center at The George Washington University to analyze each state policy to provide insight into the level of inclusion and the types of accommodations offered to LEP students.

We have collected state policies and related documents available from the Council of Chief State School Officers and from state web sites. However, in order to be certain that the materials we analyze are as up-to-date as possible, we are requesting that you provide copies of your most recent state policies, guidance documents, and any other documents intended to help districts implement state policies. The items we are requesting are listed on the attached form. Please return it with your documents to Ms. Barbara Hicks using the enclosed address label by **May 21, 1999**.

In the next phase of the study, we will identify districts that routinely include and accommodate LEP students in ways that can be adopted or adapted by other districts and schools. You will be contacted later to make nominations in this category, so please be thinking about the districts in you state.

Should you have any questions or need further clarification on what we are requesting, please call Barbara Hicks at 1-800-925-3223, or email her at *bhicks@ceee.gwu.edu*. We look forward to sharing the results of this study with you when our analysis is complete. Thank you very much for your help.

Sincerely,

Charlene Rivera
Director

UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF BILINGUAL EDUCATION AND
MINORITY LANGUAGE AFFAIRS

Dear Title VII SEA Director:

The Office of Bilingual Education and Minority Language Affairs (OBEMLA) is seeking to learn more about the implementation of state policies for including and accommodating limited English proficient (LEP) students in state required assessment programs. While some states have provided their policies to the Council of Chief State School Officers (CCSSO) in response to the annual survey of state assessment directors, the file is not complete and not always up-to-date. We have also searched state web sites to find updated policies and, have found only a few states that have posted them. Therefore, OBEMLA has asked the Region III Comprehensive Center at The George Washington University to collect and analyze the most recent state assessment policies available. I would like to make a personal appeal to you to participate in this important study by providing the information requested.

Enclosed you will find a sheet detailing the information requested by the investigators, along with other directions. All information is to be returned directly to the research team at The George Washington University. If you have any questions, please feel free to contact Dr. Charlene Rivera, the primary investigator (703/528-3588) or Milagros Lanauze at OBEMLA (202/205-9475).

I am hoping to hear that all Title VII Directors have contributed data to this important project. The more we can learn about how LEP students are faring in state assessment programs now, the better advocates we can be for them in the future.

Sincerely,

Delia Pompa
Director

600 INDEPENDENCE AVE. S.W. WASHINGTON, D.C. 20202

Our mission is to ensure equal access to education and to promote educational excellence throughout the Nation.

The Participation and Accommodation of LEP Students in State Assessment Programs

Recipient
Address
Address
Address
Address

- ✓ Please indicate whether or not you are inluding each item below in the materials you are sending.
- ✓ Please be sure that each document includes the **date it became effective**.

Included	Not Included	
☐	☐	Your state assessment handbook which includes the policy for exempting, assessing, and accommodating LEP students;
☐	☐	Any state assessment policy memorandum applicable to and not included in the state assessment handbook;
☐	☐	Any guidance your state has provided to districts, schools, or test administrators regarding the implementation of policies for exempting, including, or accommodating LEP students;
☐	☐	Any user-friendly documents your state has produced to help districts and schools implement state assessment policies for LEP students.

☐ If your state has no statewide assessment program, please check this box.

- ✓ Return this form with your documents to Ms. Barbara Hicks using the enclosed address label by **May 21, 1999**.

Person Completing this Form ____________________
Phone ____________________
Date ____________________

Second mailing sent to State Title VII Directors

The George Washington University
WASHINGTON DC

Center for Equity and Excellence in Education

August 23, 1999

«Title» «FirstName» «LastName»
«JobTitle»
«Company»
«Address1»
«Address2»
«City», «State» «PostalCode»

Dear «Title» «LastName»:

In May, I wrote you announcing that the Center for Equity and Excellence in Education had received funding from OBEMLA to conduct a study of state policies concerning the inclusion of LEP students of English language learners (ELLs) in state assessment systems. You were kind enough to provide me with your state's policy documents concerning LEP student inclusion in statewide assessments. Based on the documents sent, we have completed the attached report on your state. The first part of the report contains a description of the documents sent. The second part is a series of questions that we answered based on the information contained in these documents.

In order to verify that our information on your state is correct, we are requesting that you review the attached report. A description of the state report and instructions for reviewing the state report are found in this packet. After we have revised and finalized the report for your state, we will send you a copy. Later, once the entire study is complete, we will communicate the results to you.

Thank you again for your cooperation. We hope the information gathered from this joint effort will help us to be better understand assessment issues that need to be addressed for LEP.

Sincerely,

Charlene Rivera
Director

Graduate School of Education and Human Development
1730 North Lynn Street • Suite 401 • Arlington, VA 22209 • (703) 528-3588 • Fax (703) 528 5973

BEST COPY AVAILABLE

Policies and Practices Related to Inclusion and Accommodation of LEP Students in State Assessment Systems

Instructions for reviewing state reports

First, **please fill out the form below** so that we know who has reviewed the report, and so we will have contact information should we need further clarification of an item.

Second, read the next page on the **Format of State Report on Inclusion and Accommodations** and familiarize yourself with the format of the report.

Third, carefully examine your state report. If there are no corrections or additions to be made, **please initial and fax** (703-528-5973) **this page me as soon as possible, but no later than September 9**.

If there are changes to be made, please follow the following steps.

1. Circle any information that should be **deleted** and **mark it with a D**.

2. Use **blue** or **black ink** to make any **corrections or additions** directly on the report, if possible. If limited space does not allow you to make these changes directly on the report, you may add an additional page of explanation. Please refer clearly to each question that you are addressing by using the question's number and/or repeating the question itself.

3. When making **corrections** or **additions** directly on the report, please **write** and identify them **clearly** so they can be easily read and understood.

4. For each correction or addition made, **please indicate the state document(s) and the page(s)** on which this information appears. If the document isn't among those already submitted, please submit a photocopy of the document with the relevant pages marked. **In order for us to make changes to the completed report, we must have a copy of the relevant document where that information can be found.**

5. Fax or mail your corrections in the enclosed self-addressed envelope. Please **complete and initial this page and include it with your corrected report** so we know who has reviewed the report should we have questions about the corrections. Please **return your corrections as soon as possible** or so that they **arrive** to us no later than **September 9, 1999.**

Thank you.

Reviewer's Name: ______________________ Position: ______________________

Phone: ______________ E-mail: ______________________ State: __________

The completed inclusion/accommodation report accurately describes our state policies. __________ Please initial.

The inclusion/accommodation report requires some revisions, which I have made and faxed or mailed. __________ Please initial

Policies and Practices Related to Inclusion and Accommodation of LEP Students in State Assessment Systems

Description of Format of State Report on Inclusion and Accommodations

Your state report is not a report to the state. Instead, it is the pages that relate to your state in our national database on inclusion and accommodation policies. The information in this database is objectively coded and categorized so that national totals can be calculated based on the information provided by each state. Your state report is in the format of a completed questionnaire. The questionnaire was completed based on information taken from the state policies you sent to us. An important feature of this research project is that the information that goes in the database must come from written policy statements or publications.

The first part of your state report consists of one or more pages labeled **State Documents**. These pages catalogue and describe the documents submitted by each state. An important feature of the State Documents page is that it identifies the location within each document of the various policies and practices that are relevant to inclusion and accommodations. Thus, the State Documents page(s) serve as a bibliographic reference on documents concerning state policies. Since the State Documents pages do not represent policies, the information on these pages will not be part of any national totals or tabulations.

The second part of the report is on numbered pages (1-4) in question/answer format. It consists of responses to 13 questions. The answers are brief and objective, but space is included at the bottom of each page for descriptive and qualitative elaboration.

Page 1 is labeled **LEP Inclusion/Accommodation Overview**. This page provides general information on the kinds of policies (inclusion, accommodations, score reporting, alternate assessment) the state has established for LEP students. Comments or information concerning a specific question are found in the box at the bottom of the page. The reference for each comment is identified by the letter Q. For example, a comment following up on question 3 is identified by Q 3.

Page 2 is labeled **Inclusion/Exemption Information**. This page begins with the state's definition of an LEP student, if the state has one. The two additional questions (numbers 9 and 10) on this page ask who makes the inclusion decision and what are the criteria used to make the decision.

Page 3 is labeled **Accommodations Information (1).** This page also contains the answers to two questions. The questions relate to the specific accommodations each student may receive and the criteria that are used to make decisions regarding eligibility for and provision of specific accommodations. A box at the bottom of the page is used to provide further information concerning the response to each question. A specific accommodation is identified by its letter or number in the Comments box.

Page 4 is labeled **Accommodations Information (2)** and contains information related to specific accommodations that are allowable within the state assessment system. Numbers (1, 2, 3, and 4) are used to identify whether each specific accommodation is allowed or prohibited on some or all assessments.

Letters (a, b, c, and d) are used to indicate whether specific accommodations affect the inclusion of scores in state, district, and school totals. In some states, the provision of specific accommodations (such as extended time) is allowed, but when this is done, the student's scores are not included in the school and district totals that are released to the press and the public. Whether LEP student scores are included in school and district totals is identified for each specific accommodation by the letter c or d. For example, if extended time is allowable on all assessments, but results in exclusion of student scores from school and district totals, then this is indicated by "1d" in box 19 on page 4. Additional comments on the allowable or prohibited accommodations can be found in the box at the bottom of page 3.

Mailing sent to State Assessment Directors

The
George
Washington
University
WASHINGTON DC

«Title» «FirstName» «LastName»
«JobTitle»
«Company»
«Address1»
«Address2»
«City», «State» «PostalCode»

Dear «Title» «LastName»:

Since the reauthorization of the Elementary and Secondary Education Act in 1994, there have been substantial changes in the way states include Limited English Proficient (LEP) students in state assessment programs. States that formerly had no LEP inclusion policies have begun to develop such policies. LEP students who were routinely excluded from assessments in some states have begun to be included; in some states, state assessment policies allow LEP students to be accommodated, as well.

A variety of policies on inclusion and accommodation exist because each state is at a different point on this continuum. In order to understand what policies are being implemented as states move towards greater accountability for LEP students, the Office of Bilingual Education and Minority Languages Affairs (OBEMLA) of the US Department of Education has asked the Region III Comprehensive Center at The George Washington University to document each state's inclusion policy and the types of accommodations offered to LEP students for the 1998-1999 school year.

In May 1999, we requested documents containing state policies on LEP inclusion and accommodation in your state's assessment system from the Title VII Bilingual or ESL director. Based on the documents submitted, we completed an analysis of state assessment policies, prepared a report and sent each state's report to the appropriate Title VII or ESL director for review. Revisions were made to individual state reports and to the whole report based on reviewers' comments and supporting documentation.

Since assessment directors have a global understanding of the states assessment policies, we would like to ask you to review your individual state report for accuracy. The report represents our analysis of policies in your state, as described in the state documents provided. The purpose of the review is to identify any areas where there may be inaccuracies in our interpretation of the policies. As you review the report, please note that the focus of the report is on policies in place during the 1998 –1999-school year. In order to make changes to your state report, the change must be supported by appropriate documentation. Please note that **no changes will be made to the report without documentation.**

Since this study is scheduled for completion in March, we must receive your feedback **no later than February 18.** Please **return the enclosed form that indicates you have reviewed the report.** You may fax if to 703-528-5973. If there are changes to the report, the report and any supporting documentation can also be faxed. If documents are difficult to fax, please send them **together with a copy of the form indicating you reviewed the report and the corrected state report** via Federal Express to:

Ms. Theresa Bui
The George Washington University
Center for Equity and Excellence in Education
1730 North Lynn Street, Suite 401
Arlington, VA 22209

Should you have any questions or need further clarification on what we are requesting, please email me at crivera@ceee.gwu.edu or call me at 1-800-925-3223.

Thank you for your participation in ensuring the accuracy of the information we provide to OBEMLA. We look forward to sharing the results of this study with you.

Sincerely,

Charlene Rivera
Director

Policies and Practices Related to Inclusion and Accommodation of LEP Students in State Assessment Systems

Instructions for reviewing state reports

1. Please read the next page, **Format of State Report on Inclusion and Accommodations** to become familiar with the format of the state report for accuracy.

2. Carefully examine your state report for accuracy. If there are no corrections or additions to be made, **please initial and fax** (703-528-5973) **the form to Theresa Bui as soon as possible, but no later than February 18**.

If there are changes to be made, please follow these steps.

- Circle any information that should be **deleted** and **mark it with a D**.
- Use **blue** or **black ink** to make any **corrections or additions** directly on the report, if possible. If limited space does not allow you to make these changes directly on the report, you may add an additional page of explanation. Please refer clearly to each question that you are addressing by using the question's number and/or repeating the question itself.
- Please **write** and identify **corrections** or **additions** clearly on the report. Please, **only make changes to the state report that relate to the 1998-99 school year.**
- **Please indicate the state document(s) and the page(s)** for each correction or addition made. If the document is not among those already submitted, please include a copy of the document with the relevant pages marked. In order for us **to make changes to the completed report, we must have a copy of the relevant document where that information can be found.** Please **only submit documents that relate to the 1998-99 school year.**
- Fax or send your corrections using Federal Express, account number 1885-5541-1. Please **complete, initial, and include this page with your corrected report.** Please return your corrections so that we receive them no later than **February 18, 2000.**

Thank you.

Reviewer's Name: ______________________ Position: ______________________
(Please complete, if reviewer is other than person listed above.)

Phone: ________________ E-mail: ____________________ State: ________

The completed inclusion/accommodation report accurately describes our state policies. ____________ Please initial

The inclusion/accommodation report requires some revisions, which I have made and faxed or Federal Expressed. ____________ Please initial

Policies and Practices Related to Inclusion and Accommodation of LEP Students in State Assessment Systems
Description of Format of State Report on Inclusion and Accommodations

Your state report is not a report to the state. It is the information taken from the state documents that relates to your state's inclusion and accommodation policies. The information is objectively coded and categorized so that national totals can be calculated based on the information provided by each state. Your state report is in the format of a completed questionnaire. An important feature of this research project is that the information included in the report must come from written policy statements or publications.

Part one of the report, Sections I – IV consists of 13 responses. The answers are brief and objective, but space is included at the bottom of each page for descriptive and qualitative elaboration.

Section I is labeled **LEP Inclusion/Accommodation Overview**. This page provides general information on the kinds of policies (inclusion, accommodations, score reporting, alternate assessment) the state has established for LEP students. Comments or information concerning a specific item are found in the box at the bottom of the page. The letter Q identifies the reference for each comment. For example, Q 3 identifies a comment following up on item 3.

Section II is labeled **Inclusion/Exemption Information**. This page begins with the state's definition of an LEP student, if the state has one. The two additional items (numbers 9 and 10) on this page ask who makes the inclusion decision and what criteria are used to make the decision.

Section III is labeled **Accommodations Information (1).** This page contains information on two items. The items relate to the specific accommodations each student may receive and the criteria that are used to make decisions regarding eligibility for and provision of specific accommodations. A box at the bottom of the page is used to provide further information concerning the response to each item. Its letter or number in the Comments box identifies a specific accommodation.

Section IV is labeled **Accommodations Information (2)** and contains information related to specific accommodations that are allowable within the state assessment system. Numbers (1, 2, 3, and 4) are used to identify whether each specific accommodation is allowed or prohibited on some or all assessments.

Letters (a, b, c, and d) are used to indicate whether specific accommodations affect the inclusion of scores in state, district, and school totals. In some states, the provision of specific accommodations (such as extended time) is allowed, but when this is done, the student's scores are not included in the school and district totals that are released to the press and the public. Whether LEP student scores are included in school and district totals is identified for each specific accommodation by the letter c or d. For example, if extended time is allowed on all assessments, but results in exclusion of student scores from school and district totals, then this is indicated by "1d" in box 19 in Section IV. Additional comments on the allowable or prohibited accommodations can be found in the box at the bottom of Section III.

The second part of your state report, Section V, consists of one or more pages labeled **State Documents**. These pages catalogue and describe the documents submitted by each state. An important feature of the State Documents page is that it identifies the location within each document of the various policies and practices that are relevant to inclusion and accommodations. Thus, the State Documents page(s) serves as a bibliographic reference on documents concerning state policies.

BEST COPY AVAILABLE

Appendix B

Relevant documents provided by states

Documentation

AK	State Code *4 AAC 34.050*	No date	
AL	Bulletin *Alabama Student Assessment Program, Policy and Procedures for Students of Special Populations*	February 1998	
AR	Testing Manual *Arkansas Department of Education Stanford Achievement Test. Test Coordinator's Handbook*	Fall 1998	
	Policy *Arkansas Department of Education Rules and Regulations, Arkansas Comprehensive Testing and Assessment Program*	September 1997	
AZ	Guidelines *Bilingual Programs and English as a Second Language Programs Monitoring Guide*	No date	
CA	State Education Code *Senate Bill Number 376-Chapter 828*	October 1997	
	Information Booklet *Standardized Testing and Reporting Program: Questions and Answers about the Primary Language Test Designed for Spring 1999*	December 1998	
CO	Guidelines *Special Education for Culturally and Linguistically Diverse Students: Meeting the Challenges, Realizing the Opportunities*	January 1999	
	Test Demonstration Manual *Colorado Student Assessment Program Demonstration Binder*	1999	
	Monthly Newsletters *Colorado Student Assessment Program Update*	1998, 1999 (8 issues)	
CT	Guidelines *Assessment Guidelines for Administering the Connecticut Mastery Test and/or Connecticut Academic Performance Test*	1998	
	State Education Code *Connecticut Education Laws (Chapter 164, Part 1, Sections 10-14q)*	January 1999	
	Guidelines *Connecticut Regulations and Guidelines Concerning Bilingual Education Programs*	1984 (revision)	
DC	Policy *Standardized Testing for Special Populations*	1999	

DE	Guidelines	March 1999	*Delaware Student Testing Program Guidelines for the Inclusion of Students with Disabilities and Students with Limited English Proficiency*
FL	Guidelines	May 1996	*Language Arts through ESOL: A Guide for ESOL Teachers and Administrators (Introduction and Chapter 6)*
	Testing Manual	1999	*Florida Comprehensive Assessment Test Administration Manual*
GA	Resource Guide	1999	*English to Speakers of Other Languages Resource Guide*
	Student Assessment Handbook	1998	*1998-1999 Student Assessment Handbook*
HI	Guidelines, Memo	1999	*Exemption and Inclusion Requirements for Spring 1999*
	Guidelines	May 1996	*Identification, Assessment, and Programming System for Students in the English for Second Language Learners (ESLL) Program*
ID	Testing Manual	1999	*Idaho Statewide Testing Program Test Coordinator's Guide*
IL	Q & A Report	1999	*Extended Questions and Answers, ISAT, IGAP 1999*
	Report	1995	*Illinois Assessment Initiatives for Bilingual/ESL Students*
IN	Testing Manual	Fall 1998	*Indiana Statewide Testing for Educational Progress Program Manual*
KS	Testing Manual	1999	*Examiner's Manual for 1999 Kansas Writing Assessment*
KY	State Administrative Regs	February 1999	*Inclusion of Special Populations in the State Required Assessment and Accountability Programs*
	Coordinator's Manual	September 1997	*1997-1998 District Assessment Coordinator Implementation Guide*
LA	Guidelines	September 1998	*Louisiana Educational Assessment Program (LEAP), Criteria for Deferment from Participation in the LEAP for LEP Students*
	Letter	No date	*Schools that Work: Setting Higher Standards for Our Students, Letter from State Superintendent of Education*

MA	Manual	1999	*The Massachusetts Comprehensive Assessment System: Principal's Administration Manual, Spring 1999*
	Report	1998	*The Massachusetts Comprehensive Assessment System: Report of Statewide Results, November 1998*
MD	Regulations	September 1998	*Regulations for Accommodating, Excusing and Exempting Students in Maryland Assessment Programs*
ME	Testing Manual	1999	*Maine Education Assessment Grades 4, 8, and 11, Principal/Test Coordinator's Manual for 1999*
MI	Testing Manual	Winter 1999	*Michigan Educational Assessment Program Coordinator's Manual (excerpt)*
	Guidelines	March 1995	*The Michigan High School Proficiency Tests Testing Guidelines for Students with Disabilities, LEP and Dual Enrollment Eligibility*
MN	Guidelines	1998-1999	*Testing Guidelines for Students with Limited English Proficiency*
	Outline of Process	May 1997	*Basic Standards Testing: Establishing a District Process for Including Limited English Proficient (LEP) Students*
MO	Assessment Handbook	June 1998	*Assessment Standards for Missouri Public Schools*
	Testing Manual	Spring 1999	*Missouri Assessment Program's Communication Arts Assessment*
MS	Handbook	September 1998	*The Participation and Accommodation of LEP Students in State Assessment Programs, Handbook of Educational Services for LEP Students*
MT	Testing Manual	February 1999	*Montana Office of Public Instruction Assessment Handbook, Volume 1*
NC	Guidelines	March 1998	*Guidelines for Testing Students with Limited English Proficiency*
ND	Testing Manual	1999	*Test Coordinator's Manual*
	Survey	1995	*Survey of State's LEP Students and Available Education Programs and Services*
NH	Manual	No date	*Procedures for Test Accommodations and Exclusions*

NJ	Policy (revised) *Process for Exemptions and Accommodation criteria*	1998
	State Education Code *New Jersey Statutes Annotated Title 18A*	No date
NM	Guidelines *Procedures for the Identification and Assessment of English Language Learners, New Mexico Department of Education Guidelines*	No date
	Memo *Memo from State Superintendent of Public Instruction to District Superintendents and Other Appropriate Personnel*	February 1999
NV	Guidelines *Guidelines for the Conduct of the Nevada Proficiency Examination Program, 1998-1999*	1998
	State Regulations *Adopted Regulations of the State Board of Education*	No date
NY	Guidelines *The Regents' Strategy for Intensive English Language Arts for LEP Students*	No date
	Memo with Guidelines *Memo from the Office of Bilingual Education and the Office of State Assessment to District Superintendents, School Superintendents, and School Principals*	January 1999
	State Education Code *Apportionment and Services for Pupils with Limited English Proficiency*	1999
OH	Guidelines *Ohio Lau Resource Center Update*	March 1999
	Guidelines *Ohio's Statewide Testing Program: Rules for Proficiency Testing*	April 1997
OK	Testing Manual *Oklahoma School Testing Program, Iowa Tests of Basic Skills, Pretest Inservice Manual*	Spring 1999
	Policy *Oklahoma State Department of Education LEP Definition*	January 1996
	State Education Code *Rules Pertaining to the Oklahoma School Testing Program*	1995
OR	Administrator's Manual *Oregon Statewide Assessment Administration Manual*	1999
PA	Handbook *The Pennsylvania System of School Assessment Handbook for Assessment Coordinators*	February-March 1999

	Test Manual *The Pennsylvania System of School Assessment Writing Sample Administration Manual*	February-March 1999
RI	Test Coordinator's Handbook *State Assessment Program Spring 1999 District and School Testing Coordinator's Handbook*	1999
	Policy *Policy on Student Participation and Assessment Accommodations*	1999
	Teacher's Guide *Mathematics and English Language Arts Teacher's Guide*	Spring 1999
SC	Test Manual *Test Coordinator's Manual for the South Carolina Basic Skills Assessment Program and Palmetto Achievement Challenge Tests*	Spring 1999
	Holistic Score Scale *South Carolina Basic Skills Assessment Program, Alternative Holistic Score Scale for ESL and Students with Disabilities to Comply with 1993 Act 153*	No date
	Memo *State of South Carolina Department of Education Implementation of Act 153 of 1993*	October 1993
	Memo *District Identification Procedures for BSAP Exit Exam in Compliance with PL 3808*	February 1994
	Memo *District Identification Procedures for BSAP Exit Exam in Compliance with PL 3808-Clarification*	April 1994
	Teacher-friendly handout *Testing and Assessment of LEP Students: What to do?*	No date
SD	Testing Manual *District Test Coordinator Pre-Test Manual (one page excerpt)*	1999
TN	Guidelines *Tennessee Comprehensive Assessment Program Achievement Test Allowable Test Modifications for LEP Students*	No date
	Guidelines *Tennessee Proficiency Test Allowable Test Modifications for LEP Students*	No date
TX	State Administrative Code *Testing LEP Students: 1998-99 State Assessment Program*	1999
	State Administrative Code *Texas Administrative Code, Section 101.3*	No date
	Test Administrator Manual *Grade 4 TAAS Test Administrator Manual*	1999

	Report Forms	1998	*Alternate Assessments Report Forms*
	Test list	1998	*1998-1999 List of Approved Tests for Assessment of Limited English Proficient Students*
	State Education Code	No date	*Texas Law Bulletin*
	Rules	No date	*Commissioner's Rules Concerning State Plan for Educating Limited English Proficient Students*
UT	Guidelines	August 1997	*Guidelines for Inclusion and Accommodation of Students in Statewide Testing Programs*
VA	Guidelines	October 1997	*LEP Students: Guidelines for Participation in the Standards of Learning Assessments*
	Guidelines	February 1997	*LEP Students: Guidelines for Testing in the Virginia State Assessment Program (norm-referenced testing)*
	Procedures Manual	February 1998	*Virginia Standards of Learning Assessments: Procedures to Follow in Providing Students with Accommodations*
	Memo	June 1999	*Memo from the Superintendent of Public Instruction to Division Superintendents in Virginia*
VT	Guidelines	1996	*Statewide Assessments and Students with Special Assessment Needs*
	Memo	April 1998	*Memo to Teachers Who Have ESL or LEP Students*
	Administration Manual	January 1998	*Including All Students in Vermont's Comprehensive Assessment System: Why and How*
	Memo	January 1999	*Memo Regarding Assessment Participation Tools and Materials*
	Testing Manual	1999	*Procedures and Options for Including All Students in Vermont's Comprehensive Assessment System*
WA	Guidelines	February 1999	*Revised Guidelines for Inclusion and Accommodations for Special Populations on the Washington Assessment of Student Learning*

	Policy	No date	*State Assessment Policy for ESL Students for Washington State*
WI	Guidelines	January 1999	*DPI Guidelines to Facilitate the Participation of Students with Special Needs in State Assessments*
	Guidelines	February 1999	*Standards-Based Alternate Assessment for Limited English Proficient Students*
	State Administrative Code		*Definition of LEP Students*
WV	Guidelines	No date	*Guidelines: Limited English Proficient Students for Testing in the SAT-9*
WY	Policy	February 1999	*Policies for the Participation of All Students in District and Statewide Assessment and Accountability Systems*

Appendix C

State policies regarding alternate assessments

Alternate Assessment Policies

To provide a more detailed and accurate description of state policies regarding alternate -- and "alternative" -- assessments, policies of the individual states are provided in Appendix C. In a few cases, state policies are summarized. In the majority of cases, the policy is stated verbatim from the state documents. This is done to avoid any misrepresentation of the intent of the state policies caused by the variability in usage of the terms "alternate" and "alternative."

The description of each state's policy includes a statement regarding whether and how scores from alternate assessments are to be reported.

Arkansas: "All students enrolled in a state-tested grade shall be accounted for in the state assessment system, either by participation in the standard assessments or the authorized alternate assessment."

"Limited English proficient (LEP) students may participate in the alternate assessment program for a period which shall not exceed three (3) years before entering the standard state assessment."

"Scores for ... English language learners participating in the Arkansas Alternate Assessment Program shall be reported by the state/district/school in separate reports at all levels."

Arizona: "The only exemption from state tests will be for those students (probably 1 or 2 percent of the total student population) whose Individualized Education Plans exempt them from participating."

"The instructional program for limited English proficient pupils who are exempt from the nationally standardized norm-referenced achievement testing requirement ... shall include an alternative assessment of achievement to be administered annually."

Aprenda 2 is offered for Spanish-speaking students.

For students who are already exempted and whose parents have requested that their children be tested, the Stanford 9 test, with accommodations, can be offered. Districts may also select any other alternate assessment, including district assessments, as a substitute for the Stanford 9 test for students that are already LEP exempt.

No further information is provided. Score reporting is not addressed.

Illinois: "ISBE has developed the Illinois measure of Annual Growth in English (IMAGE) tests. IMAGE tests measure reading and writing proficiency in English and are given to bilingual students in grades 3, 4, 5, 6, 7, 8, 9, 10, and 11 who do not meet the criteria for ISAT/IGAP [the standard state assessments]."

"Bilingual students who have been in a state-approved TBE or TPI program since at least September 30 of the school year, but less than 3 full and continuous academic years (and who do not have sufficient English language skills to take ISAT/IGAP) are required to take the IMAGE tests appropriate for their grade."

"IMAGE scores are not included on the annual School Report Card."

Kentucky: "The student with limited English proficiency who has been in an English-speaking school for fewer than 2 years preceding the year of assessment in question may be exempted from the portfolio assessment. This student may submit a portfolio in a language other than English if:

* the student's daily instruction and class work are conducted in the student's native language, and

* the local scorer or a scorer hired by the district is both fluent in that language and trained to score the portfolio."

Score reporting is not addressed.

Montana: All accredited schools are required to "provide alternate tests for students who are excluded from taking the regular test."

Other documents provided include substantial amounts of information on many aspects of different types of alternate and alternative (nontraditional) assessments available, as well as a discussion of the differences between alternate and alternative assessments.

The state allows the local schools to decide upon the alternate assessments to be used.

Score reporting for the 1998-99 school year is not addressed.

North Carolina: "Although a student may be exempted because of limited English proficiency, the school system will need to assess the progress of these students using other assessment methods in order to show that the students are progressing in English, as well as in their other subject areas."

"A student who is exempted from statewide testing must still have his/her progress assessed in English and other subject areas using alternative assessment methods. The choice of the assessment method is up to the local school system. The alternative assessment may include portfolios and other authentic assessment methods."

The following statement appears in other sections of the guidelines document: "All completed tests must be scored and included with the other tests at the appropriate grade level."

There is no specific reference to score reporting for "alternative" assessments.

North Dakota: "All limited English proficient (LEP) students shall participate in the state-wide achievement testing program except those students who score at level 1 as determined by the [name of commercially published language proficiency test] or similarly designed test ... If a student does not participate in the statewide achievement testing program, the school must provide an alternative form of academic achievement assessment."

Score reporting is not addressed.

New Jersey: "... when students are exempted from specific testing situations, alternative means must be used to assess these students' mastery of essential skills. A special effort should be made to use assessment procedures that are based in the student's native language and that can provide a reasonable, valid assessment of the student's mastery level. This could include the following:

*Native language achievement tests;

*Teacher-made and criteria-referenced tests in the native language;

*Assessments made with the assistance of an individual proficient in the students' native language;

*Assessment in the English language administered under the supervision of a certified teacher or guidance counselor;

*Performance assessment; and/or

*Writing samples and other classroom work from the student."

Score reporting is not addressed.

New Mexico: For the Reading Assessment (grades 1, 2): "Students exempted from this assessment due to the language assessment should be given an appropriate alternative assessment in the home language."

For the New Mexico Achievement Assessment Program (grades 4, 6, 8): "Students exempted from this assessment due to limited English skills ... must be assessed with a standardized test in a language appropriate for each student."

For the New Mexico Writing Assessment Program (grades 4, 6, optional at grade 8): "No student should undergo a modified administration of the writing assessment due to limited English skills, but rather should have an appropriate alternative assessment in the home language."

For the New Mexico High School Competency Exam (NMHSCE): "Alternative assessment procedures, used to determine student mastery of necessary content competencies in lieu of taking or passing the NMHSCE ... may include, but need not be limited to, the following examples:

coursework grades; scores obtained on out-of-state high school competency/proficiency-type tests; written recommendations from current teachers in the appropriate content areas; and, results of other appropriate tests, exams, exhibits and/or demonstrations of student performance."

Score reporting is not addressed.

Ohio: There is an "alternative administration" of the 9th grade tests in reading, mathematics, and citizenship, but not writing. The alternative administration is an *oral* administration of the test.

Score reporting is not addressed.

Oregon: The documentation lists three options for ELL participation in state assessments:

*Tested under standard conditions;
*Tested under modified conditions; or
*Exempted.

In another section of the same document, there is a description of another form of the state tests -- Form "E". There is no indication which of the above options Form "E" test administration falls under, if any.

"Form "E" versions of the state tests are available at grades 3, 5, and 8, in Reading/Literature and Mathematics only. These versions are intended to provide more accurate scores for those students likely to respond to fewer than 30% of answers correctly."

"The Spanish-English "E" form of the Mathematics test should be used with those students whose mathematical content knowledge is significantly below grade level. Form "E" does not reduce the amount of 'language' on the test."

"Students scoring 1 or above in English, Spanish, or Russian [on a language proficiency test] are eligible to participate using a Bilingual version of the mathematics test."

For 1999, Bilingual Spanish-English and Russian-English versions of the Mathematics test will be available.

Score reporting for use of the "E" forms is not addressed.

Texas: "LEP students who are exempted from TAAS (Texas Assessment of Academic Skills) must be given an alternative assessment."

"Alternative assessments can be selected from the list of state-approved tests, or released TAAS tests from previous administrations may be used when appropriate. For the few students who may not be literate and for whom paper and pencil tests may not be valid, portfolio assessments may be used."

"The alternative assessment results should be kept in the student's permanent record."

Score reporting is not addressed.

Vermont: The documents describing assessment options are inconsistent in precision of language used. In many areas, information is presented in precise terms and has clear meaning. In other areas, ambiguous language impedes thorough understanding. Relevant information can be found in the following excerpts.

"Alternate assessment options include:

*Modified assessments. These have the same content standards and performance standards of the regular assessment, but are available for students who cannot be accommodated in the regular assessment;

*Adopted assessments. These have the same content standards, but at lower performance standards, than the regular assessment;

*Functional Lifeskills assessments. These are not available for ELLs.

For all of the above options, "scores are not aggregated, but reported separately and with the same frequency and in the same detail as regular assessment results."

One document lists the following definitions:

"Accommodated assessment. The standards (knowledge, skills, habits of mind) being measured are the same as those being measured on unaccommodated assessments.

"Alternative assessment. The standards being measured are derived from the student's individual curricula."

Other documents offer information regarding the development of a set of performance-based assessment instruments for ELLs and Culturally and Linguistically Different (CLD)/Language Minority Students.

Wisconsin: "Students who do not participate in the WKCE [Wisconsin Knowledge and Concepts Examinations], grades 8, 10, must receive an alternate assessment."

"Locally developed alternate assessments offer the 'best practices' solution for full inclusion of students with limited English proficiency at the early English language proficiency levels."

Wisconsin has developed Alternate Performance Indicators (API). APIs are in a transitional stage, from "assessments of language proficiency to assessments that present a clearer picture of students' academic skills as well as students' readiness for participating in WKCE."

The documents do not specify the existing score reporting policy, but suggest that as APIs are developed, use of rubrics and other forms of documenting student performance should be uniformly implemented across classrooms with a focus on alignment with the scoring of the statewide tests.

Wyoming: "Limited English proficient (LEP) students attending schools in the U.S. for 2 years or less may be exempt from the statewide assessment. LEP students who are exempted from the statewide assessment must be tested for English proficiency. In cases when an LEP student is unable to respond to a published assessment in English, the district should use an alternative method of assessment to ascertain how much the child understands in English as well as his/her content knowledge in the home language. When an appropriate test does not exist for a particular language, an alternative assessment should be administered in the native language of the child, if possible."

Score reporting is not addressed.

Appendix D

Individual State Reports

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: AK

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	NO
2. State policy allows exemptions for LEP students for a specific amount of time.	NO
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	N/A
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	N/A
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

In the document provided, there is no indication that Alaska has any policy regarding the participation and accommodation of LEP students in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: AK

Year: 98/99

LEP Definition:

Source of definition:** Other

Both children born in the United States and children not born in the United States who have difficulty performing ordinary classwork in English due to an interference with their English comprehension by a language other than English.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue. Not applicable

a. Student ☐

b. Parent(s)/guardian(s) ☐

c. Student's classroom teacher(s) ☐

d. Student's ESL/bilingual teacher(s) ☐

e. School/district official(s) ☐

f. Test administrator(s) ☐

g. Local committee (members not specified) ☐

h. Other(s) ☐

10. The criteria for inclusion/exemption are:

State policy addresses this issue. Not applicable

1. Time in U.S. ☐

2. Time in U.S. schools/English speaking schools ☐

3. Time in this state's schools ☐

4. Formal assessment of English proficiency ☐

5. Informal assessment of English proficiency ☐

6. Performance in school work ☐

7. Performance on other test(s) ☐

8. Academic background in home language ☐

9. Language program placement ☐

10. Teacher observation/recommendation ☐

11. Other(s) ☐

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

BEST COPY AVAILABLE

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: AK

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	Not applicable	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	Not applicable	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: AK

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: AK

Year: 98/99

Title: 4 AAC 34.050

Date: No date

Number of Pages: 9

Document Type: State code

Document Number: 1 / 1

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☐ Accommodation Information	page(s):
☑ LEP Definition	page(s): 9
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

Comments: This document indicates that there is a system in place that categorizes students into six categories, based on degree of language dominance. The system includes placement of students into six types of programs -- bilingual/bicultural, transitional bilingual/bicultural, ESL, high intensity language training curriculum, supplemental English skill and concept development curriculum, language other than English as a second language curriculum. Also included are guidelines for re-evaluation of students, as well as for instructional staff.

There is no evidence of state policies for inclusion or accommodation of LEP students in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: AL

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments. YES

2. State policy allows exemptions for LEP students for a specific amount of time. YES

3. If "YES," the longest possible period of exemption is: Two years

4. State policy allows accommodations in state assessments for LEP students. YES

5. State policy prohibits specific accommodations from being offered in state assessments for LEP students. YES

6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals. N/A

7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate. N/A

8. If "YES," state policy specifies alternate (alternative) assessments.

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 2, 3. For all tests except the High School Basic Skills Exit Exam (HSBSEE) and the Alabama High School Graduation Exam (AHSGE), two years of exemption are allowed. For the HSBSEE and the AHSGE, a deferment is allowed. For the HSBSEE and AHSGE, a student can not request one additional year of deferment. For all other state assessments, students can request one additional year of exemption.

Q 5. Accommodations which change the nature, content, or integrity of the test, such as reading of a reading test designed to assess the skill of reading, are not allowed.

The documents provided indicate that Alabama offers no specific guidelines for accommodations criteria or for alternate assessments for LEP students exempted from state assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: AL

Year: 98/99

LEP Definition:

Source of definition:** FR

A limited English proficient student is an individual:
(1) i. who was not born in the United States or whose native language is other than English;
ii. who comes from a home in which a language other than English is dominant; or
iii. who is an American Indian or Alaskan Native and comes from a home in which a language other than English has had significant impact on his or her level of English language proficiency as a result of substantial use of that other language for communication; AND
(2) who, as a result of the circumstances described in paragraph (1) of the definition, has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him or her the opportunity to:
i. learn successfully in classrooms in which the language of instruction is English; or
ii. participate fully in our society.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	Y
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools	Y	9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	Y
5. Informal assessment of English proficiency	Y	11. Other(s)	

* "Y" means "Yes, state policy mentions this item."
** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, g. An LEP committee consists of the student's parents and 3 or more LEA representatives knowledgeable of the student's language proficiency.

Q 10, #3. If less than 2 years, student is eligible for exemption.
Q 10, #4. Language Assessment Scales (LAS), Idea Proficiency Test (IPT), or other unspecified assessment.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: AL

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, g. An LEP committee consists of parents and 3 or more LEA representatives knowledgeable of the student's language proficiency.

Q 13, #3, 6, 13a, 25, 26. Available for grade-level criterion-referenced tests, pre-graduation exam, graduation exam, and High School Basic Skills Exit Exam.

Q 13, #13b, 19. Available for grade-level criterion-referenced tests only.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: AL

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	2a
4. Oral reading of questions in native language	
5. Person familiar with student administers test	1a
6. Translation of directions	2a
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	2a

a. Student marks answers in test booklets.
b. Student marks answers by machine.

Setting

14. Preferential seating	1a
15. Individual administration	1a
16. Small group administration	1a
17. In a separate location	1a
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	2a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	1a
22. Frequent or extra breaks	2a
23. Other (Specify below.)	2a

Unspecified other accommodations needed due to the student's level of English language proficiency.

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	2a
26. Other (Specify below.)	2a

Unspecified other accommodations which need to be approved by the state D.O.E.

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: AL

Year: 98/99

Title: Alabama Student Assessment Program, Policy and Procedures for Students of Special Populations

Date: Feb 1998

Number of Pages: 32

Document Type: Bulletin

Document Number: 1/1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 13-15, 23
☑ Accommodation Information page(s): 16, 29, 30
☑ LEP Definition page(s): 12
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: AR

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	N/A
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	N/A
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	YES

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 3. Elementary students can appeal for one additional year.

Q 7, 8. Students exempted from state assessments are required to participate in the Arkansas Alternate Assessment Program.

The documents provided indicate that, in Arkansas:
- There are no state guidelines for identifying LEP students;
- The state offers no specific criteria for inclusion or exemption of LEP students in state assessments;
- The state does not have a policy that allows accommodations in state assessments for LEP students.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: AR

Year: 98/99

LEP Definition:

Source of definition:** FR

A limited English proficient student is one who:
a. meets one or more of the following conditions:
i. the student was born outside of the United States or whose native language is not English;
ii. the student comes from an environment where a language other than English is dominant; or
iii. the student is American Indian or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency;
and
b. has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him or her the opportunity to learn successfully in English-only classrooms.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	Y
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools	Y	9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	Y
5. Informal assessment of English proficiency	Y	11. Other(s)	

* "Y" means "Yes, state policy mentions this item."
** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, b. For the SAT-9, parental written permission is required for an exemption.
Q 9, d. For the SAT-9.

Q 10, #3. If three years or less, student is eligible for exemption.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: AR

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	Not applicable	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	Not applicable	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, 12, 13. Arkansas does not have a policy that allows accommodations in state assessments for LEP students.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: AR

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions
2. Repetition of directions
3. Oral reading of questions in English
4. Oral reading of questions in native language
5. Person familiar with student administers test
6. Translation of directions
7. Translation of test into native language

Languages:

8. Bilingual version of test

Languages:

9. Simplified/sheltered English version of test
10. Other (Specify below.)

Response Format

11. Student can respond in native language
12. Student dictates answers
13. Other (Specify below.)

Setting

14. Preferential seating
15. Individual administration
16. Small group administration
17. In a separate location
18. Other (Specify below.)

Timing/Scheduling

19. Extended testing time (same day)
20. Extended testing time (other days)
21. Time of day most beneficial to student
22. Frequent or extra breaks
23. Other (Specify below.)

Other Accommodations

24. Out-of-level testing
25. Use of word lists/dictionaries
26. Other (Specify below.)

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

BEST COPY AVAILABLE

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: AR

Year: 98/99

Title: Arkansas Department of Education Stanford Achievement Test, Test Coordinator's Handbook

Date: Fall 1998

Number of Pages: 61

Document Type: Testing manual

Document Number: 1/2

Information Available:

Check all that apply.

- ☑ Inclusion/Exemption Information page(s): 8, 9
- ☐ Accommodation Information page(s):
- ☐ LEP Definition page(s):
- ☐ Reporting Information page(s):
- ☐ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: AR

Year: 98/99

Title: Arkansas Department of Education Rules and Regulations, Arkansas Comprehensive Testing and Assessment Program

Date: Sep 1997

Number of Pages: 9

Document Type: Policy

Document Number: 2/2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☐ Accommodation Information	page(s):
☐ LEP Definition	page(s):
☑ Reporting Information	page(s): 3, 9
☐ Scoring Information	page(s):
☑ Alternate Assessments	page(s): part 5.03
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: AZ

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	YES

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 3. The first year of exemption is the first academic year in which the pupil is enrolled in this state in grade 2 or above.

Q 8. Aprenda 2 is offered for Spanish speaking students.
Q 8. For students who are already exempted and whose parents have requested that their children be tested, the Stanford 9 Test with the following accommodations (see the "Accommodations Information - 2" page) can be offered: 2, 6, 10 ("Teacher interprets/simplifies language"), 15, 16, 17, 19, 20, 23. Districts may also select any other alternate assessment, including district assessments, as a substitute for the Stanford 9 Test for students that are already LEP exempt.

The documents provided indicate that, in Arizona, while there is a detailed system for identifying and placing LEP students, the system for addressing the participation and accommodation of LEP students in statewide testing is defined by policies and guidelines that do not specifically address inclusion, exemption, and accommodations criteria, or specify a detailed decision-making process.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: AZ

Year: 98/99

LEP Definition:

Source of definition:** ☐

Not furnished.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student	☐	f. Test administrator(s)	☐
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	☐
c. Student's classroom teacher(s)	☐	h. Other(s)	☐
d. Student's ESL/bilingual teacher(s)	☐		

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	☐
1. Time in U.S.	☐	7. Performance on other test(s)	☐
2. Time in U.S. schools/English speaking schools	☐	8. Academic background in home language	☐
3. Time in this state's schools	Y	9. Language program placement	☐
4. Formal assessment of English proficiency	☐	10. Teacher observation/recommendation	☐
5. Informal assessment of English proficiency	☐	11. Other(s)	☐

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #3. If less than 3 years, student is eligible for exemption.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: AZ

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue	NO	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13. All accommodations are only available for the Arizona Instrument to Measure Standards (AIMS) tests. For the SAT-9, accommodations are prohibited.

Q 13, #8. A student may take the Spanish version only once.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: AZ

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	2a
2. Repetition of directions	2a
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	2a
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	2a
Teacher provides clarification.	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	2a
16. Small group administration	2a
17. In a separate location	2a
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	
20. Extended testing time (other days)	2a
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	2a
Several sessions	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	2a
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: AZ

Year: 98/99

Title: Bilingual Programs and English as a Second Language Programs Monitoring Guide

Date: No date

Number of Pages: 109

Document Type: Guidelines

Document Number: 1/1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 63
☑ Accommodation Information page(s): 66, 68
☐ LEP Definition page(s):
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☑ Alternate Assessments page(s): 63, 66, 67
☐ Other page(s):
Specify:

Usefulness: Contains substantial relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: CA

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	N/A
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	N/A
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	NO
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 7. Spanish-speaking students must take the SABE/2 assessment, in addition to the English language assessment.
Q 7. "At the school district's option, LEP students may take a second achievement test in their primary language."
If a student has been in a California public school for less than 12 months, the student is required to take a test in his/her primary language, if such a test is available.

The documents furnished indicate that, in California:
- There are no statewide guidelines for defining or identifying LEP students;
- There is no policy that allows LEP students exemptions or accommodations on statewide assessments.
- The state does not allow alternate assessments for LEP students. All students, regardless of background or level of English proficiency, must take the state tests.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: CA

Year: 98/99

LEP Definition:

Source of definition:**

Not furnished.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	Not applicable	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	Not applicable	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Only a parent's note -- indicating that, for whatever reason, the parent does not want the student to participate in state tests -- can exempt a student from a statewide assessment.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: CA

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	Not applicable	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	Not applicable	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, 12, 13. California has no policy that allows for accommodations for LEP students in statewide assessments.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: CA

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions
2. Repetition of directions
3. Oral reading of questions in English
4. Oral reading of questions in native language
5. Person familiar with student administers test
6. Translation of directions
7. Translation of test into native language

Languages:

8. Bilingual version of test

Languages:

9. Simplified/sheltered English version of test
10. Other (Specify below.)

Response Format

11. Student can respond in native language
12. Student dictates answers
13. Other (Specify below.)

Setting

14. Preferential seating
15. Individual administration
16. Small group administration
17. In a separate location
18. Other (Specify below.)

Timing/Scheduling

19. Extended testing time (same day)
20. Extended testing time (other days)
21. Time of day most beneficial to student
22. Frequent or extra breaks
23. Other (Specify below.)

Other Accommodations

24. Out-of-level testing
25. Use of word lists/dictionaries
26. Other (Specify below.)

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: CA

Year: 98/99

Title: Senate Bill No. 376-Chapter 828

Date: Oct 1997

Number of Pages: 5

Document Type: State Education Code

Document Number: 1/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 1
☐ Accommodation Information page(s):
☐ LEP Definition page(s):
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☑ Alternate Assessments page(s): 2
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information ▼

Comments: Education Code Section 60640(f), (g), and (j)(4)

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: CA

Year: 98/99

Title: Standardized Testing and Reporting Program: Questions and Answers about the Primary Language Test Designed for Spring 1999

Date: Dec 1998

Number of Pages: 2

Document Type: Information booklet

Document Number: 2/2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☐ Accommodation Information	page(s):
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☑ Alternate Assessments	page(s): 1, 2
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: CO

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that Colorado offers:

- No specific guidelines for selecting decision-makers regarding the participation of LEP students in statewide assessments.
- No specific accommodations criteria.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: CO

Year: 98/99

LEP Definition:

Source of definition:** Other

LEP, also referred to as "culturally and linguistically diverse (CLD)," "language minority or national minority status," "second language learners," and "new speakers of English":

Students whose primary or home language is other than English. LEP students are limited in their ability to speak, read, comprehend, and/or write English proficiently as determined by objective assessments.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency	Y	11. Other(s)	

* "Y" means "Yes, state policy mentions this item."
** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #4. Language Assessment Scales (LAS), Idea Reading and Writing Proficiency Test (IPT), Woodcock-Munoz Language Survey

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: CO

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	Y
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 12, #9. Accommodations must be a routine part of the student's instructional situation for at least 3 months prior to the assessment.

Q 13, #3, 25. For grade 5 mathematics test.
Q 13, #8. For grades 3 and 4, only.
Q 13, #10b. Not allowed on items where spelling will be scored.
Q 13. The following accommodations need not be documented for the Reading and Writing assessments: #2, #10b, #19, if up to ten minutes, #21, #22.
Q 13. The following accommodations must be documented for the Reading and Writing assessments: #10a, #13, #19, if more than ten minutes per session.
Q 13. There is no indication whether documentation is needed for the following documents: #3, #8.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: CO

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	1a
3. Oral reading of questions in English	2a
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	2a
Languages: Spanish	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1a, 2a
a. Oral reading of directions. b. Spelling of words to students who request it.	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	1a
Use of a scribe to write oral responses.	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	1a
22. Frequent or extra breaks	1a
23. Other (Specify below.)	1a
More but shorter sessions.	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	2a
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: CO

Year: 98/99

Title: Special Education for Culturally and Linguistically Diverse Students: Meeting the Challenges, Realizing the Oppportunities

Date: Jan 1999

Number of Pages: 85

Document Type: Guidelines

Document Number: 1/3

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 13, 14
☐ Accommodation Information	page(s):
☑ LEP Definition	page(s): iv
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: CO

Year: 98/99

Title: Colorado Student Assessment Program Demonstration Binder

Date: 1999

Number of Pages: 100

Document Type: Test demo manual

Document Number: 2/3

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 2-9
☑ Accommodation Information	page(s): 2, 3
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: CO

Year: 98/99

Title: Colorado Student Assessment Program Update (8 issues)

Date: 1998, '99

Number of Pages: 30

Document Type: Monthly newletters

Document Number: 3/3

Information Available: Check all that apply.

- ☐ Inclusion/Exemption Information page(s):
- ☑ Accommodation Information page(s): 1, 2
- ☐ LEP Definition page(s):
- ☑ Reporting Information page(s): 4
- ☐ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: CT

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that, in Connecticut::

- The state offers no guidelines for alternate assessments for LEP students;
- The state offers no specific recommendations for inclusion, exemption, or accommodations criteria, nor for selecting committee members to decide on the participation of LEP students in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: CT

Year: 98/99

LEP Definition:

Source of definition:** Other

Children whose dominant language is other than English and whose proficiency in English is not sufficient to assume equal educational opportunity in the regular school program.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #9. If 3 years or less in an ESL or bilingual program, the student is eligible for exemption.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: CT

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 12, #10. "Accommodations are not restricted to students enrolled in LEP programs 3 years or less."

Q 13, #19. A student can have as much time as necessary. All students receiving this accommodation must be tested separately.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: CT

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1a
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	1a
16. Small group administration	1a
17. In a separate location	1a
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	1a
23. Other (Specify below.)	1a

Several sessions

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: CT

Year: 98/99

Title: Assessment Guidelines for Administering the Connecticut Mastery Test and/or Connecticut Academic Performance Test

Date: 1998

Number of Pages: 58

Document Type: Guidelines

Document Number: 1/2

Information Available:

Check all that apply.

☑ Inclusion/Exemption Information	page(s): 2
☑ Accommodation Information	page(s): 10, 15, 16
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: CT

Year: 98/99

Title: Connecticut Education Laws (Excerpt)

Date: Jan 1999

Number of Pages: 3

Document Type: State Education Code

Document Number: 2/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): See below

☐ Accommodation Information page(s):

☐ LEP Definition page(s):

☐ Reporting Information page(s):

☐ Scoring Information page(s):

☐ Alternate Assessments page(s):

☐ Other page(s):

Specify:

Usefulness: Contains some relevant information

Comments: Inclusion/exemption information is found in Chapter 164, Part 1, Sections 10-14q.

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: DC

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The document provided indicates that, while there are policies regarding the participation and accommodation of LEP students in citywide assessments, the policies generally do not address inclusion, exemption, and accommodations criteria, alternate assessments, or a decision-making team.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: DC

Year: 98/99

LEP Definition:

Source of definition:** Other

Language Minority Student: A student who understands or speaks a language other than English which was learned from his/her family background, or a student with a family background where a language other than English is spoken in the home.

Non-English (NEP) or LEP: A language minority student with a non-English/limited-English language proficiency that does not allow the student to participate in the general education program or the school without alternative language services.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)	Y		

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #2. If less than 3 years, the student is eligible for exemption. If more than 3 years, the student should participate in citywide assessment, regardless of LAS category. The local school determines whether such students should participate in the SAT-9 under level 2 (Standard conditions with special accommodations), or level 3 (Non-standard conditions with permissible accommodations). School-based staff may also make a decision regarding the student's participation in citywide testing that falls outside of recommended guidelines.

Q 10, #4. Not specified.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: DC

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 12, #4. Not specified.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: DC

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1a
2. Repetition of directions	1a
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	3
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1a

Use of masks or markers to maintain place.

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	1a
15. Individual administration	
16. Small group administration	1a
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	1a
21. Time of day most beneficial to student	
22. Frequent or extra breaks	1a
23. Other (Specify below.)	1a

a. Flexible scheduling (order of subtests).
b. Breaks during subtests.

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page. Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: DC

Year: 98/99

Title: Standardized Testing for Special Populations

Date: 1999

Number of Pages: 8

Document Type: Policy

Document Number: 1 / 1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 6
☑ Accommodation Information	page(s): 2 - 8
☑ LEP Definition	page(s): 1
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: DE

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Two years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	YES
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 3. Expressed as one test administration.

The document provided indicates that Delaware has established policies regarding the participation and accommodation in statewide assessments of LEP students. In certain other areas -- accommodations criteria, selection of a decision-making team, alternate assessments -- the state does not offer specific guidelines.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State:	DE	Year:	98/99
LEP Definition:		Source of definition:**	IASA

A limited English proficient individual is one who:

- was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or
- is a Native American, or Alaska Native, or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English proficiency; or
- is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and
- who has sufficient difficulty speaking, reading, writing, or understanding the English language, and whose difficulties may deny such an individual the opportunity to learn successfully in classrooms where the language of instruction is English, or to participate fully in society.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)	Y		

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools	Y	9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	Y
5. Informal assessment of English proficiency	Y	11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #3. If less than 2 years, student is eligible for exemption.

Q 10, #4. Not specified.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: DE

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools	Y	9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 12, #3. If less than 2 years, student can receive accommodations.

Q 13, #7. Not appropriate for inclusion of Reading and Writing test scores.

Q 13, #19. Not appropriate for inclusion of SAT-9 Reading and/or Mathematics test scores.

Q 13, #13a. Not allowable for the Writing test.

Q 13, #25. Not appropriate for the Reading test.

Q 13, #11. Not appropriate for the Reading and Writing tests.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: DE

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1d
2. Repetition of directions	1b
3. Oral reading of questions in English	1d
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	1d
Languages: Not specified.	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1d
Use of an interpreter.	

Response Format

11. Student can respond in native language	2b
12. Student dictates answers	2b
13. Other (Specify below.)	1d
Use of a scribe to record student response to a writing prompt.	

Setting

14. Preferential seating	1b
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1c
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	1d
23. Other (Specify below.)	1d
Several sessions.	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	2b
26. Other (Specify below.)	2d
Students discuss/brainstorm in pairs during the pre-writing part of the Writing test.	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: DE

Year: 98/99

Title: Delaware Student Testing Program Guidelines for the Inclusion of Students with Disabilities and Students with Limited English Proficiency

Date: Mar 1999

Number of Pages: 20

Document Type: Guidelines

Document Number: 1 / 1

Information Available:

Check all that apply.

☑ Inclusion/Exemption Information	page(s): 13, 17, 18
☑ Accommodation Information	page(s): 13, 16
☑ LEP Definition	page(s): 2
☑ Reporting Information	page(s): 14 - 16
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: FL

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Two years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that, in Florida:

- The Florida Writing Assessment Program administered in 1999 is a census test, given to randomly selected students from around the state;
- The state offers no specific guidelines regarding selection of committee members for deciding LEP student participation in statewide assessments.
- Unless a LEP student has been enrolled in an approved district LEP Plan for 2 years or less, the student must be included in statewide assessments;
- There are no alternate or alternative assessments available to LEP students.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: FL

Year: 98/99

LEP Definition:

Source of definition:** FR

Language Enriched Pupils or Limited English Proficient students:

- Individuals who were not born in the U.S. and whose native language is a language other than English; or
- Individuals who come from home environments where a language other than English is spoken in the home; or
- Individuals who are American Indian or Alaskan natives and who come from environments where a language other than English has had a significant impact on their level of English language proficiency; and
- Individuals who, by reason thereof, have sufficient difficulty speaking, reading, writing, or listening to the English language to deny such individuals the opportunity to learn successfully in classrooms where the language of instruction is English.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #9. A student with 2 years or less in an approved district LEP Plan may be exempted from statewide assessments. All other LEP students are to be tested.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: FL

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	NO	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #10, b. Available for the Mathematics test. If the Mathematics test is administered to a group, the teacher may answer questions about directions for the benefit of the whole group. Questions of clarification from individual students must be answered on an individual basis. For the Reading test, an ESOL or heritage language teacher may answer questions about general test directions, but is prohibited from answering students' questions and from reading words to students from passages, test items, and performance tasks.

Q 13, #19. Available for the Writing test. No specific time limit indicated.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: FL

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	2a
2. Repetition of directions	
3. Oral reading of questions in English	2a
4. Oral reading of questions in native language	
5. Person familiar with student administers test	1a
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	2a

ESOL or heritage language teacher may answer specific questions about a word or phrase.

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	1a
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	2a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	1a

Several short sessions

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	1a
26. Other (Specify below.)	3a

Monolingual dictionaries

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: FL

Year: 98/99

Title: Language Arts through ESOL: A Guide for ESOL Teachers and Administrators (Introduction and Chapter 6)

Date: May 1996

Number of Pages: 20

Document Type: Guidelines

Document Number: 1/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): ch.6, p.4,5
☐ Accommodation Information page(s):
☑ LEP Definition page(s): ch.6, p.4
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: FL

Year: 98/99

Title: Florida Comprehensive Assessment Test Administration Manual

Date: 1999

Number of Pages: 100

Document Type: Testing manual

Document Number: 2/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 1, 2
☑ Accommodation Information page(s): 80
☐ LEP Definition page(s):
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: GA

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	N/A
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	N/A
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	NO
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that:

* English is the official language of Georgia;
* The policy that addresses the participation in statewide assessments for LEP students is brief and does not offer specific guidance to local schools;

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: GA

Year: 98/99

LEP Definition:

Source of definition:** Other

Those students who, because their native language/home language/first language is other than English, have so much difficulty speaking, reading, writing, or understanding the English language that they cannot successfully participate in classrooms where the language of instruction is English.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	YES	e. School/district official(s)	Y
a. Student	Y	f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	Whether it is in the student's best interest.

* "Y" means "Yes, state policy mentions this item."
** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q.9. LEP students shall participate in all state assessments unless the school and the parent(s) or guardian(s) agree it is not in the best interest of the student to participate at this time.

Q.10, #4. The Language Assessment Battery (LAB) is administered to determine if a student should receive ESOL services.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: GA

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue	Not applicable	e. School/district official(s)	☐
a. Student	☐	f. Test administrator(s)	☐
b. Parent(s)/guardian(s)	☐	g. Local committee (members not specified)	☐
c. Student's classroom teacher(s)	☐	h. Other(s)	
d. Student's ESL/bilingual teacher(s)	☐		

12. The criteria for accommodations are:

State policy addresses this issue	Not applicable	6. Performance in school work	☐
1. Time in U.S.	☐	7. Performance on other test(s)	☐
2. Time in U.S. schools/English speaking schools	☐	8. Academic background in home language	☐
3. Time in this state's schools	☐	9. Language program placement	☐
4. Formal assessment of English proficiency	☐	10. Routine classroom accommodations	☐
5. Informal assessment of English proficiency	☐	11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, 12, 13. Georgia has no policy that allows accommodations in statewidewide assessments for LEP students

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: GA

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions
2. Repetition of directions
3. Oral reading of questions in English
4. Oral reading of questions in native language
5. Person familiar with student administers test
6. Translation of directions
7. Translation of test into native language

Languages:

8. Bilingual version of test

Languages:

9. Simplified/sheltered English version of test
10. Other (Specify below.)

Response Format

11. Student can respond in native language
12. Student dictates answers
13. Other (Specify below.)

Setting

14. Preferential seating
15. Individual administration
16. Small group administration
17. In a separate location
18. Other (Specify below.)

Timing/Scheduling

19. Extended testing time (same day)
20. Extended testing time (other days)
21. Time of day most beneficial to student
22. Frequent or extra breaks
23. Other (Specify below.)

Other Accommodations

24. Out-of-level testing
25. Use of word lists/dictionaries
26. Other (Specify below.)

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: GA

Year: 98/99

Title: English to Speakers of Other Languages Resource Guide

Date: 1999

Number of Pages: 100

Document Type: Resource Guide

Document Number: 1 / 2

Information Available:

Check all that apply.

- ☐ Inclusion/Exemption Information page(s):
- ☐ Accommodation Information page(s):
- ☑ LEP Definition page(s): 14
- ☐ Reporting Information page(s):
- ☐ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains some relevant information

Comments: This document contains suggestions on how to implement programs.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: GA

Year: 98/99

Title: 1998-1999 Student Assessment Handbook

Date: 1998

Number of Pages: 100

Document Type: Student assessment handbook

Document Number: 2 / 2

Information Available:

Check all that apply.

☑ Inclusion/Exemption Information	page(s): Appendix E
☐ Accommodation Information	page(s):
☑ LEP Definition	page(s): 160-4-5.02(ii)
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: HI

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	NO
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	N/A
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	N/A
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents furnished indicate that, beyond recommendations for procedures to categorize LEP students, Hawaii has no statewide policies or guidelines for deciding on LEP students' participation and accommodation in statewide testing.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: HI

Year: 98/99

LEP Definition:

Source of definition:** Other

Potential English for Second Language Learners (ESLL) Program students: All students whose first acquired or more often used language is other than English, or who come from homes where a language other than English is most often used.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	State
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #4, 9. A student must achieve a 3 or higher rating on either the Language Assessment Scale (LAS) or the Basic Inventory of Natural Language (BINL) and "have been placed in the LEP Students of L.E.P. category" to be included in the Stanford Achievement Test.

BEST COPY AVAILABLE

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: HI

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue:	Not applicable	e. School/district official(s)	☐
a. Student	☐	f. Test administrator(s)	☐
b. Parent(s)/guardian(s)	☐	g. Local committee (members not specified)	☐
c. Student's classroom teacher(s)	☐	h. Other(s)	☐
d. Student's ESL/bilingual teacher(s)	☐		

12. The criteria for accommodations are:

State policy addresses this issue:	Not applicable	6. Performance in school work	☐
1. Time in U.S.	☐	7. Performance on other test(s)	☐
2. Time in U.S. schools/English speaking schools	☐	8. Academic background in home language	☐
3. Time in this state's schools	☐	9. Language program placement	☐
4. Formal assessment of English proficiency	☐	10. Routine classroom accommodations	☐
5. Informal assessment of English proficiency	☐	11. Other(s)	☐

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, 12, 13. Hawaii has no policy that allows accommodations for LEP students in statewide assessments.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: HI

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions
2. Repetition of directions
3. Oral reading of questions in English
4. Oral reading of questions in native language
5. Person familiar with student administers test
6. Translation of directions
7. Translation of test into native language

Languages:

8. Bilingual version of test

Languages:

9. Simplified/sheltered English version of test
10. Other (Specify below.)

Response Format

11. Student can respond in native language
12. Student dictates answers
13. Other (Specify below.)

Setting

14. Preferential seating
15. Individual administration
16. Small group administration
17. In a separate location
18. Other (Specify below.)

Timing/Scheduling

19. Extended testing time (same day)
20. Extended testing time (other days)
21. Time of day most beneficial to student
22. Frequent or extra breaks
23. Other (Specify below.)

Other Accommodations

24. Out-of-level testing
25. Use of word lists/dictionaries
26. Other (Specify below.)

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: HI

Year: 98/99

Title: Exemption and Inclusion Requirements for Spring 1999

Date: 1999

Number of Pages: 3

Document Type: Guidelines, memo

Document Number: 1/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s) 1
☐ Accommodation Information	page(s)
☐ LEP Definition	page(s)
☐ Reporting Information	page(s)
☐ Scoring Information	page(s)
☐ Alternate Assessments	page(s)
☐ Other	page(s)

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: HI

Year: 98/99

Title: Identification, Assessment, and Programming System for Students in the English for Second Language Learners (ESLL) Program

Date: May 1996

Number of Pages: 60

Document Type: Guidelines

Document Number: 2/2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s)
☐ Accommodation Information	page(s)
☑ LEP Definition	page(s) 3
☐ Reporting Information	page(s)
☐ Scoring Information	page(s)
☐ Alternate Assessments	page(s)
☐ Other	page(s)

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: ID

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Two years
4. State policy allows accommodations in state assessments for LEP students.	N/A
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	N/A
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that Idaho has no policies or guidelines for defining or identifying LEP students, for establishing or recommending inclusion, exemption, or accommodations criteria; or for addressing the participation and accommodation of LEP students in statewide assessments, beyond allowing a two-year exemption.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: ID

Year: 98/99

LEP Definition:

Source of definition:** Other

Not furnished

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	Y
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q.10, #2: If less than 2 years, student may be exempted.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: ID

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	Not applicable	e. School/district official(s)	☐
a. Student	☐	f. Test administrator(s)	☐
b. Parent(s)/guardian(s)	☐	g. Local committee (members not specified)	☐
c. Student's classroom teacher(s)	☐	h. Other(s)	☐
d. Student's ESL/bilingual teacher(s)	☐		

12. The criteria for accommodations are:

State policy addresses this issue.	Not applicable	6. Performance in school work	☐
1. Time in U.S.	☐	7. Performance on other test(s)	☐
2. Time in U.S. schools/English speaking schools	☐	8. Academic background in home language	☐
3. Time in this state's schools	☐	9. Language program placement	☐
4. Formal assessment of English proficiency	☐	10. Routine classroom accommodations	☐
5. Informal assessment of English proficiency	☐	11. Other(s)	☐

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q.11, 12, 13: Idaho does not have a policy that allows accommodations in state assessments for LEP students.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: ID

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions
2. Repetition of directions
3. Oral reading of questions in English
4. Oral reading of questions in native language
5. Person familiar with student administers test
6. Translation of directions
7. Translation of test into native language

Languages:

8. Bilingual version of test

Languages:

9. Simplified/sheltered English version of test
10. Other (Specify below.)

Response Format

11. Student can respond in native language
12. Student dictates answers
13. Other (Specify below.)

Setting

14. Preferential seating
15. Individual administration
16. Small group administration
17. In a separate location
18. Other (Specify below.)

Timing/Scheduling

19. Extended testing time (same day)
20. Extended testing time (other days)
21. Time of day most beneficial to student
22. Frequent or extra breaks
23. Other (Specify below.)

Other Accommodations

24. Out-of-level testing
25. Use of word lists/dictionaries
26. Other (Specify below.)

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: ID

Year: 98/99

Title: Idaho Statewide Testing Program Test Coordinator's Guide

Date: 1999

Number of Pages: 67

Document Type: Testing manual

Document Number: 1/1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 7
☐ Accommodation Information page(s):
☐ LEP Definition page(s):
☑ Reporting Information page(s): 16
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: IL

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	NO
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	YES

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 4, 5. The only mention of accommodations allowed or prohibited is that translation of any part of a state test is prohibited.
Q 8. For grades 3 - 11, the Illinois Measure of Annual Growth in English (IMAGE) tests, which measure reading and writing proficiency in English, are required of all students not taking state assessments.

The documents provided indicate that, in Illinois:
- 1999 marks the beginning of a transition from using the Illinois Goal Assessment Program (IGAP) to using the Illinois Standards Achievement Test (ISAT) as the statewide assessment program;
- The state offers no guidelines for defining or identifying LEP students;
- The state offers no specific recommendations for selecting decision-makers, nor for English language proficiency assessments, for determining inclusion, exemption, or placement in an appropriate services program;
- The "alternate" assessment described is, in fact, a language assessment;
- There is no specific state policy that allows accommodations in state assessments for LEP students.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: IL

Year: 98/99

LEP Definition:

Source of definition:** Other

Not furnished.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools	Y	9. Language program placement	Y
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, g. Unspecified school personnel.

Q 10, #3. If 3 years or more, student may not receive an exemption.
Q 10, #4. Not specified.
Q 10, #9. If less than 3 "full and continuous" years in a state approved Transitional Bilingual Education (TBE) or Transitional Programs of Instruction (TPI), a student may be exempted.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: IL

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue	Not applicable	e. School/district official(s)	☐
a. Student	☐	f. Test administrator(s)	☐
b. Parent(s)/guardian(s)	☐	g. Local committee (members not specified)	☐
c. Student's classroom teacher(s)	☐	h. Other(s)	☐
d. Student's ESL/bilingual teacher(s)	☐		

12. The criteria for accommodations are:

State policy addresses this issue	Not applicable	6. Performance in school work	☐
1. Time in U.S.	☐	7. Performance on other test(s)	☐
2. Time in U.S. schools/English speaking schools	☐	8. Academic background in home language	☐
3. Time in this state's schools	☐	9. Language program placement	☐
4. Formal assessment of English proficiency	☐	10. Routine classroom accommodations	☐
5. Informal assessment of English proficiency	☐	11. Other(s)	☐

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, 12, 13. While there is mention in the documents provided that appropriate school personnel are to decide on accommodations, there is no other indication that Illinois has a policy that allows accommodations to LEP students on state assessments. The only mention of accommodations allowed or prohibited is that translation of any part of state assessments is prohibited.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: IL

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	3
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: IL

Year: 98/99

Title: Extended Questions and Answers, ISAT, IGAP 1999

Date: 1999

Number of Pages: 13

Document Type: Q & A Report

Document Number: 1/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 8
☑ Accommodation Information	page(s): 8
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: IL

Year: 98/99

Title: Illinois Assessment Initiatives for Bilingual/ESL Students

Date: 1995

Number of Pages: 3

Document Type: Report

Document Number: 2/2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information page(s): ______
☐ Accommodation Information page(s): ______
☐ LEP Definition page(s): ______
☐ Reporting Information page(s): ______
☐ Scoring Information page(s): ______
☑ Alternate Assessments page(s): ______
☐ Other page(s): ______

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: IN

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	NO
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that:

- English is the official language of Indiana;
- Unless a student reads at a level at least 2 years below his or her grade level, the student will participate in the testing, without accommodations;
- Beyond the policy stated in the previous point, and the fact that translation of any part of a test is prohibited, Indiana has no policies or guidelines regarding any aspect of the participation of LEP students in statewide tests.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: IN

Year: 98/99

LEP Definition:

Source of definition:** Other

Limited proficiency in English is evidenced by any of the following:

(A) The student does not understand, speak, read, or write English, but may know a few isolated words or expressions.

(B) The student understands simple sentences in English, especially when they are spoken slowly, but speaks only isolated words and expressions.

(C) The student:

- (i) speaks English with hesitancy;
- (ii) understands English with difficulty;
- (iii) converses in English, but only with effort and assistance;
- (iv) understands only some parts of lessons;
- (v) cannot understand and follow simple directions; and
- (vi) cannot write sentences that do not contain errors in syntax and fact.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency	Y	11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #4. If the student reads at least 2 years below grade level, the student is exempted from statewide tests

Q 10, #5. Further specific information is not provided.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: IN

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	Not applicable	e. School/district official(s)	☐
a. Student	☐	f. Test administrator(s)	☐
b. Parent(s)/guardian(s)	☐	g. Local committee (members not specified)	☐
c. Student's classroom teacher(s)	☐	h. Other(s)	
d. Student's ESL/bilingual teacher(s)	☐		

12. The criteria for accommodations are:

State policy addresses this issue.	Not applicable	6. Performance in school work	☐
1. Time in U.S.	☐	7. Performance on other test(s)	☐
2. Time in U.S. schools/English speaking schools	☐	8. Academic background in home language	☐
3. Time in this state's schools	☐	9. Language program placement	☐
4. Formal assessment of English proficiency	☐	10. Routine classroom accommodations	☐
5. Informal assessment of English proficiency	☐	11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, 12, 13. Indiana has a policy that does not allow accommodations for LEP students on statewide tests. Further, the state prohibits the translation of test directions or content.

BEST COPY AVAILABLE

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: IN

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	3
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	
18. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: IN

Year: 98/99

Title: Indiana Statewide Testing for Educational Progress Program Manual

Date: Fall 1998

Number of Pages: 100

Document Type: Testing manual

Document Number: 1/1

Information Available: Check all that apply.

☑ Inclusion/Exemption information	page(s): 9, 22, 23
☑ Accommodation Information	page(s): 23
☑ LEP Definition	page(s): 22
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: KS

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	NO
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	NO
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 2. Students who are enrolled in a district on a temporary basis of one year or less, such as foreign exchange students, may be exempted. Migrant Education students are not to be considered temporary.

Q 6. Test scores of students who receive accommodations are included in the building summary which reports averages of all students, but not included in the general education/gifted building summary. Those of students who take the assessment with modifications are not included.

Q 7. There are no alternate assessments, but the state allows for modified versions of the Kansas Assessments. Modifications are determined at the local level. Possible modifications are:
a. utilize the Kansas Assessments in an instructional format rather than a testing format;
b. provide group or team administration of Kansas Assessment;
c. eliminate selected questions from Kansas Assessment.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State:	KS	Year:	98/99
LEP Definition:		Source of definition:**	Other

LEP and NEP: Students who do not speak, read, write, and/or understand the English language at a level comparable to that of a native speaker.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #4. Must be determined by a standardized assessment -- such as Idea Proficiency Tests (IPT), Language Assessment Scales (LAS), etc. -- that includes Reading, Writing, and Oral Language proficiencies.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: KS

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	☐
a. Student	☐	f. Test administrator(s)	☐
b. Parent(s)/guardian(s)	☐	g. Local committee (members not specified)	☐
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)	Y		

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	☐
1. Time in U.S.	☐	7. Performance on other test(s)	☐
2. Time in U.S. schools/English speaking schools	☐	8. Academic background in home language	☐
3. Time in this state's schools	☐	9. Language program placement	☐
4. Formal assessment of English proficiency	☐	10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency	☐	11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #3. Allowable for the Mathematics Assessment only. Prohibited on the Reading Assessment.

Q 13. The following identified not as accommodations, but as "acceptable practices", are allowed:
1
3 (reading prompts for Writing Assessment),
19
25 Translation dictionaries for Reading, Writing, Mathematics assessments: dictionaries or bilingual dictionaries for Reading and Writing assessments.

Q 13, #9, #24. These are considered modifications, which are seen in this state as changes in what is being measured on the assessment; therefore the use of these results in excluded scores.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: KS

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	2b
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	1d
10. Other (Specify below.)	1b
a. Key words or phrases highlighted/underlined	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	1b
a. Use of a scribe b. Student dictates answers on tape for verbatim translation	

Setting

14. Preferential seating	1b
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	1b
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	1d
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: KS

Year: 98/99

Title: Examiner's Manual for 1999 Kansas Writing Assessment

Date: 1999

Number of Pages: 31

Document Type: Testing manual

Document Number: 1/1

Information Available:

Check all that apply.

- ☑ Inclusion/Exemption Information page(s): 18
- ☑ Accommodation Information page(s): 18, 20-22, 31
- ☑ LEP Definition page(s): 18
- ☑ Reporting Information page(s): 18
- ☑ Scoring Information page(s): 24-29
- ☑ Alternate Assessments page(s): 18
- ☐ Other page(s):

Specify:

Usefulness: Contains substantial relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: KY

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments. YES

2. State policy allows exemptions for LEP students for a specific amount of time. YES

3. If "YES," the longest possible period of exemption is: Two years

4. State policy allows accommodations in state assessments for LEP students. YES

5. State policy prohibits specific accommodations from being offered in state assessments for LEP students. YES

6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals. NO

7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate. YES

8. If "YES," state policy specifies alternate (alternative) assessments. NO

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 6. Scores of all LEP students, including those who received accommodations, are included.
Q 7, 8. For the Writing Portfolio assessment (grades 4, 7, 12), there is an alternate assessment, the Alternate Portfolio Program. Students may submit a portfolio in a language other than English if: a) the student's daily instruction and class work are conducted in a language other than English, and b) the local scorer or a scorer hired by the district is both fluent in that language and trained to score the portfolio. There is no alternate assessment for the Kentucky Instructional Results Information System (KIRIS) assessments.

One reviewer from the state wrote that the name of the assessment system is the Commonwealth Accountability Testing System (CATS), though there is no indication of this in the documents provided.

The documents provided indicate that, in Kentucky:

- The state policies regarding decision-makers, inclusion/exemption and accommodations criteria, and alternate assessments are generally non-specific, requiring local school districts to develop more specific local policies regarding participation and accommodation of LEP students in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: KY

Year: 98/99

LEP Definition:

Source of definition:** IASA

A limited English proficient individual is one who:

- was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or
- is a Native American, or Alaska Native, or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English proficiency; or
- is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and
- who has sufficient difficulty speaking, reading, writing, or understanding the English language, and whose difficulties may deny such an individual the opportunity to learn successfully in classrooms where the language of instruction is English, or to participate fully in society.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #2. If a student has been in an English speaking school for 2 full years, the decision for the student's inclusion or exemption in statewide testing is to be made by school personnel.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: KY

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 12, #4. Assessment is not specified.

Q 13, #10b. Students may use the same form of a test so that one interpreter per foreign language may be employed, in the case of a lack of interpreters.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: KY

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1b
2. Repetition of directions	
3. Oral reading of questions in English	1b
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	1b
Languages:	Not specified.
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1b

a. Paraphrasing directions in student's native language.
b. Administering a single form of the test.

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	3

Student dictates answers in his/her native language and has a teacher translate.

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	1b
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	1b
26. Other (Specify below.)	1b

Use of grammar or spell-checking systems.

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: KY

Year: 98/99

Title: Inclusion of Special Populations in the State-Required Assessment and Accountability Programs

Date: Feb 1999

Number of Pages: 30

Document Type: State administrative regulations

Document Number: 1 / 2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 9
☑ Accommodation Information page(s): 17, 18
☑ LEP Definition page(s): 16, 17
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: KY

Year: 98/99

Title: 1997-1998 District Assessment Coordinator Implementation Guide

Date: Sep 1997

Number of Pages: 150

Document Type: Coordinator's Manual

Document Number: 2 / 2

Information Available: Check all that apply.

- ☐ Inclusion/Exemption Information page(s):
- ☐ Accommodation Information page(s):
- ☐ LEP Definition page(s):
- ☑ Reporting Information page(s): 10
- ☐ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State:	LA
Year:	98/99
1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Two years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	NO
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	NO
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that, while Louisiana has policies regarding the inclusion and accommodation of LEP students in statewide assessments, the policies do not include specific guidelines for implementing these policies.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: LA

Year: 98/99

LEP Definition:

Source of definition:** IASA

A limited English proficient individual is one who:

- was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or
- is a Native American, or Alaska Native, or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English proficiency; or
- is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and
- who has sufficient difficulty speaking, reading, writing, or understanding the English language, and whose difficulties may deny such an individual the opportunity to learn successfully in classrooms where the language of instruction is English, or to participate fully in society.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	Y
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)	Y		

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #2. If less than 2 years, student can be exempted.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: LA

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	Y
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)	Y		

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #25. For written composition only.

Q 13, #26. There is a differentiation between this type of dictionary and the type of dictionary allowed by accommodation #25. The one allowed in #25 is identified as an "English/Native Language Word-to-word dictionary," while the dictionary allowed by #26 is referred to as an "English/Native Language Dictionary (no definitions)."

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: LA

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	1b
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	1b
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1b
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	2b
26. Other (Specify below.)	1b

Provision of English/Native Language dictionary.

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: LA

Year: 98/99

Title: Louisiana Educational Assessment Program (LEAP), Criteria for Deferment from Participation in the LEAP for LEP Students

Date: Sep 1998

Number of Pages: 4

Document Type: Guidelines

Document Number: 1/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 11, 12
☑ Accommodation Information	page(s): 12
☑ LEP Definition	page(s): 13
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: LA

Year: 98/99

Title: Schools that Work: Setting Higher Standards for our Students, Letter from State Superintendent of Education

Date: No date

Number of Pages: 1

Document Type: Letter

Document Number: 2/2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☑ Accommodation Information	page(s): 1
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

21.

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: MA Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments. YES

2. State policy allows exemptions for LEP students for a specific amount of time. YES

3. If "YES," the longest possible period of exemption is: Three years

4. State policy allows accommodations in state assessments for LEP students. N/A

5. State policy prohibits specific accommodations from being offered in state assessments for LEP students. N/A

6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals. N/A

7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate. N/A

8. If "YES," state policy specifies alternate (alternative) assessments. ☐

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that:

- For the 1998 assessments, LEP student scores were included with those of the other students, and also were disaggregated for diagnostic purposes;
- Beyond offering a Spanish version of certain subtests, Massachusetts has no policy for allowing accommodations for LEP students in statewide testing, nor is there a policy for providing alternate or alternative assessments for LEP students.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: MA

Year: 98/99

LEP Definition:

Source of definition:** Other

LEP students:
1) Students who were not born in the U.S. whose native language is a language other than English and who are currently not able to perform ordinary classroom work in English, or
2) Students who were born in the U.S. to non-English speaking parents and who are not currently able to perform ordinary classroom work in English.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	Literacy in Spanish

* "Y" means "Yes, state policy mentions this item."
** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #2. If less than 3 years, student can be exempted.
Q 10, #9. If a student is enrolled in a Transitional Bilingual Education program or receives ESL support and has been/will be recommended for regular education classes for the following school year, the student is included in statewide testing. If the student will not be recommended for regular education classes the following school year and has been in U.S schools for 3 years or less, the student is not required to take the test.
Q 10, #9. "A student in a two-way bilingual program with three or fewer years of school in the U.S. must take the English versions of the The Massachusetts Comprehensive Assessment System (MCAS) tests if he or she would likely be transitioned into regular education classes if such a program were offered."
Q 10. A Spanish-speaking student with three or fewer years in U.S. schools who does not possess sufficient reading and writing skills in Spanish to permit participation in the MCAS Spanish version may be exempt.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: MA

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	Not applicable	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	Not applicable	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, 12, 13. Massachusetts has no policy that allows accommodations in state assessments for LEP students other than a Spanish version of the mathematics, science and technology, history, and social science tests.

Q 13, #8. Available for the mathematics, science and technology, history, and social science tests. The Spanish versions of these tests can be taken if a student has three or fewer years in U.S. schools; is currently enrolled in a Transitional Bilingual Education program or receives ESL support and will not be recommended for regular education classes for the following school year; and the student possesses reading and writing skills in Spanish.

Q 13, #11. Available for Spanish versions of tests.

Q13, #19. There are no time limits on the Massachusetts Comprehensive Assessment System (MCAS). This condition applies to all students, not only ELLs.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: MA

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	2a
Languages:	Spanish
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	2a
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1b
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: MA

Year: 98/99

Title: The Massachusetts Comprehensive Assessment System: Principal's Administration Manual, Spring 1999

Date: 1999

Number of Pages: 74

Document Type: Manual

Document Number: 1/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 48, 49
☑ Accommodation Information	page(s): 48, 49
☑ LEP Definition	page(s): 48
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information ▾

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: MA

Year: 98/99

Title: The Massachusetts Comprehensive Assessment System: Report of Statewide Results, November 1998

Date: 1998

Number of Pages: 21

Document Type: Report

Document Number: 2/2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☐ Accommodation Information	page(s):
☐ LEP Definition	page(s):
☑ Reporting Information	page(s): 17
☑ Scoring Information	page(s): 1 - 21
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: MD

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	YES
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 3. Maximum time of exemption from the Maryland School Performance Assessment Program (MSPAP), which is given at grades 3, 5, and 8, expressed as one administration of the test. For the Maryland Functional Testing Program (MFTP), the maximum amount of time a student can be exempted is one year.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: MD

Year: 98/99

LEP Definition:

Source of definition:** Other

Students who have a primary or home language other than English and who have limited or no age-appropriate ability to understand, speak, read, or write English.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student	Y	f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools	Y	9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	Y
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9. For the Maryland School Performance Assessment Program (MSPAP), exemption is based on a language proficiency assessment and on teacher recommendation, agreed to in writing by the parents or guardians, and certified by the principal. For the Maryland Functional Testing Program (MFTP), the student must request an exemption, a parent must agree in writing, and the decision must be certified by the school principal. For the CTBS/5, an exemption must be recommended by a teacher, followed by the parent's agreement in writing and the principal's certification.

Q 10, #3. If one year or less, student is eligible for exemption.
Q 10, #4. Assessment is not specified.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: MD

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student	Y	f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11. Documents provided also indicate that an LEP committee (whose members are not specified) make the decisions on specific accommodations, for all state assessments.

Q 12, #4. Assessment is not specified.

Q 13, #10. For the MSPAP, the following accommodations are available: a) Verbatim reading of selected section of test or vocabulary; b) Verbatim audiotape of directions; c) Verbatim reading of entire test to the student. For the MSPAP and the MFRT, the following accommodations are available: d) Written copies of orally presented materials; and e) Verbatim audiotape of the test, for which a student's reading score is invalidated in the scoring process.

Q 13, #19. MSPAP time extensions must allow for participation in group activities. CTBS/5 time extensions are seen as a non-standard administration which invalidate comparisons to national norms, and therefore will not be included in state reports.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: MD

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	1b
3. Oral reading of questions in English	2c
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1a, 2c

a. Written copies of orally presented materials
b. Use of audio-tape.

Response Format

11. Student can respond in native language	
12. Student dictates answers	1c
13. Other (Specify below.)	1b

Student types response for transcription by school personnel.

Setting

14. Preferential seating	1b
15. Individual administration	2b
16. Small group administration	1b
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1c
20. Extended testing time (other days)	1b
21. Time of day most beneficial to student	1b
22. Frequent or extra breaks	1b
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	1b
26. Other (Specify below.)	1b

Those proposed by a Local Accountability Coordinator or LEP staff, and approved by MSDE Office and LEP staff.

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: MD

Year: 98/99

Title: Regulations for Accommodating, Excusing and Exempting Students in Maryland Assessment Programs

Date: Sep 1998

Number of Pages: 28

Document Type: Regulations

Document Number: 1/1

Information Available:

Check all that apply.

☐ Inclusion/Exemption Information	page(s): 5,7,9
☑ Accommodation Information	page(s): 4,6,8,10,12-16,25,26
☑ LEP Definition	page(s): 3
☑ Reporting Information	page(s): 10
☐ Scoring Information	page(s):
☑ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: ME

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	NO
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 6. Scores of all students will be included with the school's, unless a student misses one or more sections of the test battery.

The documents provided indicate that, in Maine, there are no specific state policies or guidelines regarding the following aspects of the participation and accommodation in state assessments of LEP students:
- The definition and identification of LEP students;
- Inclusion, exemption, or accommodations criteria;
- Maximum amount of time a student can receive an exemption;
- Alternate or alternative assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: ME

Year: 98/99

LEP Definition:

Source of definition:**

Not furnished.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	NO	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, e. Building principal.

Q 10. A student can be excluded from some sections of the assessment and included in others.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: ME

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, e. Building principal.

Q 13, #7. Available if the student is participating in a native language instruction program.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: ME

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1b
2. Repetition of directions	
3. Oral reading of questions in English	1b
4. Oral reading of questions in native language	
5. Person familiar with student administers test	1b
6. Translation of directions	
7. Translation of test into native language	1b
Languages:	Not specified.
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	1b
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	2b
13. Other (Specify below.)	

Setting

14. Preferential seating	1b
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1b
20. Extended testing time (other days)	1b
21. Time of day most beneficial to student	1b
22. Frequent or extra breaks	1b
23. Other (Specify below.)	1b

Short sessions followed by breaks.

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	1b
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: ME

Year: 98/99

Title: Maine Education Assessment Grades 4, 8 and 11, Principal/Test Coordinator's Manual for 1999

Date: 1999

Number of Pages: 27

Document Type: Testing manual

Document Number: 1 / 1

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☑ Accommodation Information	page(s):
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☑ Scoring Information	page(s): 22
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: MI

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Two years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that Michigan offers no specific guidelines, regarding the participation and accommodation of LEP students in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State:	MI	Year:	98/99
LEP Definition:		Source of definition:**	Other

Children who have or reasonably may be expected to have difficulty performing ordinary classwork in English because their native tongue is a language other than English, or because they come from a home or environment where the primary language used is a language other than English.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student	Y	f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	Student and/or parent can request exemption.

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #2. If less than 2 years, student is eligible for exemption.

"Under no circumstances may a student be denied the opportunity to take the tests by the LEA."

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: MI

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue. NO

a. Student ☐

b. Parent(s)/guardian(s) ☐

c. Student's classroom teacher(s) ☐

d. Student's ESL/bilingual teacher(s) ☐

e. School/district official(s) ☐

f. Test administrator(s) ☐

g. Local committee (members not specified) ☐

h. Other(s) ☐

12. The criteria for accommodations are:

State policy addresses this issue. NO

1. Time in U.S. ☐
2. Time in U.S. schools/English speaking schools ☐
3. Time in this state's schools ☐
4. Formal assessment of English proficiency ☐
5. Informal assessment of English proficiency ☐
6. Performance in school work ☐
7. Performance on other test(s) ☐
8. Academic background in home language ☐
9. Language program placement ☐
10. Routine classroom accommodations ☐
11. Other(s) ☐

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #25. Both English language and native language dictionaries are allowed.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: MI

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	1b
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	1b
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	1a
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1b
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	1b
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	1a
26. Other (Specify below.)	1b

Any classroom accommodation that does not violate the purpose of the test.

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: MI

Year: 98/99

Title: Michigan Educational Assessment Program Coordinator's Manual (Excerpt)

Date: Winter 1999

Number of Pages: 4

Document Type: Testing manual

Document Number: 1 / 2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 14, 15
☐ Accommodation Information page(s):
☑ LEP Definition page(s): 13
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: MI

Year: 98/99

Title: The Michigan High School Proficiency Tests Testing Guidelines for Students with Disabilities, LEP and Dual Enrollment Eligibility

Date: Mar 1995

Number of Pages: 9

Document Type: Guidelines

Document Number: 2 / 2

Information Available: Check all that apply.

- ☑ Inclusion/Exemption Information page(s): 3
- ☑ Accommodation Information page(s): 3
- ☐ LEP Definition page(s):
- ☐ Reporting Information page(s):
- ☐ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: MN

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	NO
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 7. There are no alternative assessments for statewide assessments. There is a policy that allows for alternative assessments, to be chosen by a local committee, for the High Standards diploma.

The documents provided indicate that, in Minnesota, while the state provides a skeletal framework of items for districts to consider as the districts look to identify and decide on participation and accommodation of LEP students in statewide testing, there are only a few instances of specific statewide guidelines or policies. It seems that this failure on the part of the state to provide specific policy and/or guidelines shifts the responsibility of developing an appropriate system to the local level.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: MN

Year: 98/99

LEP Definition:

Source of definition:** Other

Individuals whose first language is not English and whose test performance may be negatively impacted by lack of English language proficiency.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.	Y	7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #1. If 12 months or less, student is eligible for exemption.

Q 10, #2. If 3 years or less, student is eligible for exemption.

/

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: MN

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #7. Available for the Mathematics and Written Composition tests only.

Q 13, #10a, #10b. Available for the Mathematics test only.
Q 13, #10c. Available for the Mathematics and Reading tests only.

Q 13, #19. The tests are untimed.

Q 13, #23. For the Mathematics and Reading tests only, a student may take up to 4 sessions.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: MN

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1a
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	1a
7. Translation of test into native language	2a
Languages:	Spanish, Vietnamese, White Hmong
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	2a

a. Audio cassette
b. Script of audio cassette read by administrator
c. Short segment test booklets

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	1a

Student can write in the test booklet

Setting

14. Preferential seating	
15. Individual administration	1a
16. Small group administration	1a
17. In a separate location	1a
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	1a
23. Other (Specify below.)	2a

Extra sessions

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: MN

Year: 98/99

Title: Testing Guidelines for Students with Limited English Proficiency

Date: 1998 - 99

Number of Pages: 7

Document Type: Guidelines

Document Number: 1/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 1, 4
☑ Accommodation Information	page(s): 2, 4, 6, 7
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☑ Other	page(s): 2

Specify: LEP student identification

Usefulness: Contains substantial relevant information ▾

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: MN

Year: 98/99

Title: Basic Standards Testing: Establishing a District Process for Including Limited English Proficient (LEP) Students

Date: May 1997

Number of Pages: 5

Document Type: Outline of process

Document Number: 2/2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☐ Accommodation Information	page(s):
☑ LEP Definition	page(s): 2
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: MO

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 3. Expressed as one test administration.

The documents provided indicate that, in Missouri, state policies regarding the participation and accommodation of LEP students in statewide assessments are general and do not address all aspects of the issue, which places the responsibility for developing specific policies on the districts.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: MO

Year: 98/99

LEP Definition:

Source of definition:** Other

Students assessed as having English skills below their age appropriate grade level.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools	Y	9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency	Y	11. Other(s)	When it provides instructional information.

* "Y" means "Yes, state policy mentions this item."
** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

10, #3. If one year or more, the student is included, unless the student's level of English proficiency precludes participation.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: MO

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue: NO

a. Student ☐

b. Parent(s)/guardian(s) ☐

c. Student's classroom teacher(s) ☐

d. Student's ESL/bilingual teacher(s) ☐

e. School/district official(s) ☐

f. Test administrator(s) ☐

g. Local committee (members not specified) ☐

h. Other(s) ☐

12. The criteria for accommodations are:

State policy addresses this issue: NO

1. Time in U.S. ☐
2. Time in U.S. schools/English speaking schools ☐
3. Time in this state's schools ☐
4. Formal assessment of English proficiency ☐
5. Informal assessment of English proficiency ☐
6. Performance in school work ☐
7. Performance on other test(s) ☐
8. Academic background in home language ☐
9. Language program placement ☐
10. Routine classroom accommodations ☐
11. Other(s) ☐

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #10. Prohibited for Communication Arts, Sessions 1, 3.

Q 13, #19. Available to complete Session 3.

Q 13. The documents indicate that all accommodations not identified as allowable are prohibited.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: MO

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	2a
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	1a

Student responds orally in English.

Setting

14. Preferential seating	
15. Individual administration	1a
16. Small group administration	1a
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	1a

Use of native language dictionary.

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: MO

Year: 98/99

Title: Assessment Standards for Missouri Public Schools

Date: Jun 1998

Number of Pages: 28

Document Type: Assessment handbook

Document Number: 1/2

Information Available: Check all that apply.

☑	Inclusion/Exemption Information	page(s): 6
☑	Accommodation Information	page(s): 11
☑	LEP Definition	page(s):
☑	Reporting Information	page(s): 7
☐	Scoring Information	page(s):
☐	Alternate Assessments	page(s):
☑	Other	page(s): 16

Specify: Identifying LEP students

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: MO

Year: 1999

Title: Missouri Assessment Program's Coommunications Arts Assessment

Date: Spring 1999

Number of Pages: 5

Document Type: Testing manual

Document Number: 2/2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☑ Accommodation Information	page(s): 3
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: MS

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments. YES

2. State policy allows exemptions for LEP students for a specific amount of time. YES

3. If "YES," the longest possible period of exemption is: Two years

4. State policy allows accommodations in state assessments for LEP students. YES

5. State policy prohibits specific accommodations from being offered in state assessments for LEP students. YES

6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals. YES

7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate. N/A

8. If "YES," state policy specifies alternate (alternative) assessments.

*"N/A" means "Not addressed."

Comments related to questions 1-8

These issues are addressed in a handbook prepared using Title IV and Title VII funds, *The Participation and Accommodation of LEP Students in Statewide Assessment Programs, Handbook of Educational Services for LEP Students*. As well as addressing educational issues, the handbook includes demographic data related to the location and number of LEP students in Mississippi schools.

The document states that "This handbook was developed to assist state educators in providing equal opportunities to limited English proficient students in Mississippi. The materials within should provide educators with information on appropriate and effective services for these students." It continues to explain that, based on the state's only relevant mandate, districts must design programs that "enable their LEP students to achieve full competence in English and to meet school grade-promotion and graduation requirements." PL 100-297, section 7002.(a) The handbook quotes O'Malley and Valdez-Pierce (1991), "By participating in statewide testing programs, LEP students can be followed to ensure that they meet grade-appropriate standards at all levels and graduate from high school."

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: MS

Year: 98/99

LEP Definition:

Source of definition:** IASA

A limited English proficient individual is one who:

* was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or

* is a Native American, or Alaska Native, or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English proficiency; or

* is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and

* who has sufficient difficulty speaking, reading, writing, or understanding the English language, and whose difficulties may deny such an individual the opportunity to learn successfully in classrooms where the language of instruction is English, or to participate fully in society.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student	Y	f. Test administrator(s)	Y
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)	Y		

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	Y
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools	Y	9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency	Y	11. Other(s)	Parent's approval needed for exemption.

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q9/10 LEP students are expected to participate in all aspects of the Mississippi Assessment System (MAS). Students must take the Functional Literacy Examination (FLE) in order to receive a regular high school diploma. Exemptions seem to be offered for the Iowa Test of Basic Skills (ITBS), the Stanford Achievement Tests (SAT), and the Mississippi Career Planning and Assessment System (MIS-CPAS). Students can be exempted from the Subject Area Testing Program (SATP). Exemption is based primarily on language assessment (whether or not the student's level of English significantly interferes with test results).

School districts may develop their own inclusion/exemption criteria. It is recommended that districts form LEP assessment committees composed of the district test coordinator, counselor(s), teacher(s), psychometric personnel and principal(s).

Q10 #4 Multiple measures are recommended; the handbook lists many possibilities.

Q10 #5 Multiple measures are recommended, including teacher observations and home language survey.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: MS

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	Y
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)	Y		

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q11-13 "Mississippi Code 37-16-9 ensures that appropriate test modifications/accommodations are provided for eligible students. Test accommodations are considered changes in testing procedures that provide...LEP students with an equal opportunity to participate in test situations and to demonstrate their knowledge and abilities."

Q11 Teachers recommend accommodation; school principal and district test coordinator authorize recommendation.

Q13 The handbook suggests the following policies (Accommodations for both LEP students and students with disabilities are listed together.):

1) Accommodations must be consistent with what is provided on the student's instructional program.

2) Scores are not included when students who are exempt take the test or students choose to take the test using prohibited accommodations.

3) The list of prohibited accommodations is not meant to identify all prohibited accommodations. It is based on frequent inquiries. Scores from students who take the test under nonstandard test conditions are not comparable.

4) The student should be familiarized with testing procedures since his or her culture may not have provided extensive experience with standardized testing. Practice on items that have formats similar to those used with standardized testing is recommended. However, practice with actual test items, alternate test forms, or items closely parallel to actual test items is prohibited.

Tests: Iowa Test of Basic Skills/Test of Academic Proficiency (ITBS/TAP), Subject Area Testing Program (SATP), MS-Career Planning and Assessment System (MS-CPAS)

Q13 #3 Prohibited on FLE, TAP, and CPAS (Reading for Information Test); Allowed on SATP & CPAS (except Reading for Information Test).

Q13 #20 Prohibited on TAP & CPAS; allowed on SATP.

Q13 #26 The use of native language dictionaries (dictionaries that translate English words into the native language without providing definitions) is prohibited on ITBS/TAP; native language dictionary use is allowed on SATP & MS-CPAS.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: MS

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	2c
4. Oral reading of questions in native language	
5. Person familiar with student administers test	1b
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	1b
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	2c
20. Extended testing time (other days)	
21. Time of day most beneficial to student	1b
22. Frequent or extra breaks	1b
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	2b
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: MS

Year: 98/99

Title: The Participation and Accommodation of LEP Students in State Assessment Programs, Handbook of Educational Services for LEP Students

Date: Sep 1998

Number of Pages: 182

Document Type: Handbook

Document Number: 1 / 1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 71-74,77,78,81-84
☑ Accommodation Information	page(s): 75,79,81-84,88-99
☑ LEP Definition	page(s): 2
☑ Reporting Information	page(s): 73,76,78,81-84
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☑ Other	page(s): 54-70

Specify: Identifying LEP students using assessments

Usefulness: Contains substantial relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: MT

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	NO

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 8. "If participation in the regular assessment is waived, an alternative assessment must be administered. The alternative assessment should cover the same standards being assessed for all students; it must assess content knowledge in the student's primary language; if an assessment in the student's primary language is impracticable or inappropriate, accommodations can be used."

The documents provided indicate that, in Montana:
- The state offers no specific guidelines for defining or identifying LEP students;
- The state offers no specific guidelines for selecting members of the decision-making team involved with the participation of LEP students in statewide assessments, nor does it offer specific accommodations criteria or recommendations for alternate assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: MT

Year: 98/99

LEP Definition:

Source of definition:** FR

Not furnished

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #2. If 3 years or less, the student is eligible for exemption.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: MT

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	Y
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 12, #2. If 3 years or less, a student can receive accommodations.
Q 12, #4. Assessment not specified.

Q 13, #10. Other presentation format accommodations include:

- Providing additional clarifying information, e.g. synonyms for difficult words and phrases;
- Providing a tape of instructions in the student's home language;
- Providing simplified directions;
- Providing native language support (not specified);
- Decreasing the English language demands of the assessment (not specified, examples not given).

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: MT

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1a
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	1a
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1a

See notes on previous page.

Response Format

11. Student can respond in native language	1a
12. Student dictates answers	
13. Other (Specify below.)	1a

Student can respond orally.

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	1a
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	1a

Flexible scheduling.

Other Accommodations

24. Out-of-level testing	1a
25. Use of word lists/dictionaries	1a
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: MT

Year: 98/99

Title: Montana Office of Public Instruction Assessment Handbook, Volume 1

Date: Feb 1999

Number of Pages: 30

Document Type: Testing manual

Document Number: 1/1

Information Available: Check all that apply.

☐	Inclusion/Exemption Information	page(s):
☑	Accommodation Information	page(s): 4, 19, 20, 26
☐	LEP Definition	page(s):
☑	Reporting Information	page(s): 2, 3
☐	Scoring Information	page(s):
☐	Alternate Assessments	page(s):
☐	Other	page(s):

Specify:

Usefulness: Contains some relevant information

Comments: Exemption seems to be included with other accommodations in this document's framework.

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: NC

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments. YES

2. State policy allows exemptions for LEP students for a specific amount of time. YES

3. If "YES," the longest possible period of exemption is: Two years

4. State policy allows accommodations in state assessments for LEP students. YES

5. State policy prohibits specific accommodations from being offered in state assessments for LEP students. YES

6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals. NO

7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate. YES

8. If "YES," state policy specifies alternate (alternative) assessments. NO

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 3. Two years from the time of initial enrollment in the school system.

Q 8. The choice of assessment method is up to the local school system. Alternate assessments may include portfolios and other authentic assessment methods.

The documents provided indicate that, in North Carolina:
- The state provides no specific recommendations regarding decision-makers;
- The state provides no specific guidelines regarding the identification of LEP students;
- The state provides no specific criteria for deciding on LEP student participation in statewide testing;
- The state provides no specific accommodations criteria, nor for alternate assessments.

Students can be exempted for 2 years from the time of enrollment in a school system. There is no indication that the state has in place a mechanism to prevent students from changing school systems every 2 years.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: NC

Year: 98/99

LEP Definition:

Source of definition:** FR

A limited English proficient student is one who:

a. meets one or more of the following conditions:

i. the student was born outside of the United States or whose native language is not English;

ii. the student comes from an environment where a language other than English is dominant; or

iii. the student is American Indian or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency;

and

b. has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him or her the opportunity to learn successfully in English-only classrooms.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue:	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue:	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	Time in the same school system.

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #4. Assessments are not specified.

Q 10, #9. If two years or less, student can be exempted. After two years, the student must be included in statewide assessments, regardless of his/her level of English proficiency.

A student may be exempted from one test while included in others.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: NC

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	ESL coordinator; Test coordinator
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11. Team of LEA personnel, including ESL coordinator and test coordinator, must review and approve of electronic translator or dictionary. No indication is given of decision-makers for other accommodations.

Q 13, #3. Prohibited on reading tests and North Carolina Competency Tests.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: NC

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	2b
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	1b

Student marks answers in test booklet

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1b
20. Extended testing time (other days)	1b
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	1b

Multiple sessions

Other Accommodations

24. Out-of-level testing	3
25. Use of word lists/dictionaries	1b
26. Other (Specify below.)	3

Monolingual dictionaries.
Those accommodations not used in daily instructional and testing situations.

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: NC

Year: 98/99

Title: Guidelines for Testing Students with Limited English Proficiency

Date: Mar 1998

Number of Pages: 50

Document Type: Guidelines

Document Number: 1/1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 12, 29, 30
☑ Accommodation Information page(s): 13-22
☑ LEP Definition page(s): 10
☑ Reporting Information page(s): 8
☐ Scoring Information page(s):
☑ Alternate Assessments page(s): 32
☐ Other page(s):
Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: ND

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	YES
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	NO

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 6. Scores of students who receive the following accommodations are excluded from the average: a) Extended testing time; b) Provide complete test on audio tape; c) Read the test to the student.

Q 7. "If a student does not participate in the statewide achievement testing program, the school must provide an alternative form of academic achievement assessment." No further specific information is given.

The documents provided indicate that, in North Dakota, the state does not provide policies or guidelines regarding criteria for accommodations nor for who should decide on LEP student participation in statewide assessments, nor is there a maximum amount of time a student can receive exemptions.

The following 2 excerpts from the documents provided help describe the state of the issue of LEP students in North Dakota:
* "Many schools have a very informal method of identifying LEP students. It is not very consistent or valid."
* "LEP figures in North Dakota fluctuate because of inconsistency in reporting. Because there are no state requirements or funding, there is little incentive to accurately collect data .... "

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: ND

Year: 98/99

LEP Definition:

Source of definition:** IASA

A limited English proficient individual is one who:

* was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or
* is a Native American, or Alaska Native, or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English proficiency; or
* is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and
* who has sufficient difficulty speaking, reading, writing, or understanding the English language, and whose difficulties may deny such an individual the opportunity to learn successfully in classrooms where the language of instruction is English, or to participate fully in society.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #4. Language Assessment Scales (LAS), Basic Inventory of Natural Language (BINL), Woodcock-Munoz Language Proficiency Test. A student who scores at level 1 is exempted.

Q 10, #7. CTBS achievement test.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: ND

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue:	NO	e. School/district official(s)	☐
a. Student	☐	f. Test administrator(s)	☐
b. Parent(s)/guardian(s)	☐	g. Local committee (members not specified)	☐
c. Student's classroom teacher(s)	☐	h. Other(s)	
d. Student's ESL/bilingual teacher(s)	☐		

12. The criteria for accommodations are:

State policy addresses this issue:	NO	6. Performance in school work	☐
1. Time in U.S.	☐	7. Performance on other test(s)	☐
2. Time in U.S. schools/English speaking schools	☐	8. Academic background in home language	☐
3. Time in this state's schools	☐	9. Language program placement	☐
4. Formal assessment of English proficiency	☐	10. Routine classroom accommodations	☐
5. Informal assessment of English proficiency	☐	11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13. The following accommodations have been identified as those that compromise standards: #10b, c, #19. Scores of students who receive these accommodations are excluded from the average.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: ND

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	1d
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1b, 1d

a. Highlight key words or phrases in test directions.
b. Provide complete test on audio tape.

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	1b

Tape record responses for later verbatim translation
Use of a scribe

Setting

14. Preferential seating	1b
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1d
20. Extended testing time (other days)	1b
21. Time of day most beneficial to student	1b
22. Frequent or extra breaks	1b
23. Other (Specify below.)	1b

Several sessions; Subtests in a different order; Provide frequent breaks on one subtest but not on another.

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	1b

Special test preparation (not specified).
On-task/focusing prompts.

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: ND

Year: 98/99

Title: Test Coordinator's Manual (McGraw-Hill)

Date: 1999

Number of Pages: 36

Document Type: Testing manual

Document Number: 1 / 2

Information Available:

Check all that apply.

☑ Inclusion/Exemption Information	page(s): 6
☑ Accommodation Information	page(s): Appendix C
☐ LEP Definition	page(s):
☑ Reporting Information	page(s): 6
☐ Scoring Information	page(s):
☑ Alternate Assessments	page(s): 6
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: ND

Year: 98/99

Title: Survey of State's LEP Students and Available Education Programs and Services

Date: 1995

Number of Pages: 9

Document Type: Survey

Document Number: 2 / 2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information page(s):
☐ Accommodation Information page(s):
☐ LEP Definition page(s):
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☑ Other page(s): 7
Specify: Identifying LEP students

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: NH

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	More than three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that, while New Hampshire requires districts to identify and make decisions regarding LEP student participation and accommodation in statewide assessments, the state offers no specific guidelines or policies for defining LEP students, identifying inclusion, exemption, or accommodations criteria, setting a maximum period of exemption, or allowing alternate assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State:	NH	Year:	98/99
LEP Definition:		Source of definition:**	Other

Not furnished.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency	Y	11. Other(s)	

* "Y" means "Yes, state policy mentions this item."
** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, e. The school principal.

Q 10, #5. No guidelines are provided.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State:	NH	Year:	98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency	Y	11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, e. The school principal.

Q 12, #5. No guidelines are provided.

Q 13, #3. Not available for Reading sections and questions in the English Language Arts section.
Q 13, #12. Students may not dictate their responses to the writing prompt in the English Language Arts section.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: NH

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	2a
4. Oral reading of questions in native language	
5. Person familiar with student administers test	1a
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1a

Use of a sight translator.

Response Format

11. Student can respond in native language	
12. Student dictates answers	2a
13. Other (Specify below.)	

Setting

14. Preferential seating	1a
15. Individual administration	1a
16. Small group administration	1a
17. In a separate location	1a
18. Other (Specify below.)	1a

With the teacher facing the student.

Timing/Scheduling

19. Extended testing time (same day)	
20. Extended testing time (other days)	
21. Time of day most beneficial to student	1a
22. Frequent or extra breaks	1a
23. Other (Specify below.)	1a

Short sessions followed by breaks.

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3. Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: NH

Year: 98/99

Title: Procedures for Test Accommodations and Exclusions

Date: No date

Number of Pages: 3

Document Type: Manual

Document Number: 1/1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 2
☑ Accommodation Information	page(s): 2, 3
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

272

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: NJ

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	NO

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 4. At the elementary school and grade 8 assessments; not for grade 11 assessments.
Q 8. Alternative assessments can include the following:

- Native language achievement tests;
- Teacher-made and criteria-referenced tests in a student's native language;
- Assessments made with the assistance of an individual proficient in the student's native language;
- Assessment in the English language administered under the supervision of a certified teacher or guidance counselor;
- Performance assessment; and/or
- Writing samples and other classroom work from the student.

The document furnished gives no indication that New Jersey provides guidelines for appointing decision-makers to handle LEP student inclusion or accommodations on statewide assessments, for recommending specific alternative assessments, nor for whether LEP student scores are to be included in reporting.

BEST COPY AVAILABLE

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: NJ

Year: 98/99

LEP Definition:

Source of definition:** Other

"Limited English proficient (LEP) students" means students from pre-kindergarten through grade 12 whose native language is other than English and who have sufficient difficulty speaking, reading, writing or understanding the English language as measured by an English language proficiency test, so as to be denied the opportunity to learn successfully in the classrooms where the language of instruction is English.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #2. If three years or less, student can be exempted.

Q 10, #4. Most recent score on Language Assessment Battery (LAB) or Maculaitis Assessment Program.

Q 10, #9. If two years or less, student can be exempted.

In order to be exempted, a student must meet condition #4 and either #2 or #9.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: NJ

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue	NO	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #17. This is required of LEP students.

Q 13, #25. Ideally, a student should use the same dictionary as in his/her instructional program.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: NJ

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	1a
7. Translation of test into native language	3
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	1a
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	1a
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3. Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: NJ

Year: 98/99

Title: Process for Exemptions and Accommodations Criteria

Date: 1998

Number of Pages: 4

Document Type: Policy (revised)

Document Number: 1/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 1, 2
☑ Accommodation Information	page(s): 2, 3
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: NJ

Year: 98/99

Title: New Jersey Statutes Annotated Title 18A

Date: No date

Number of Pages: 1

Document Type: State Education Code

Document Number: 2/2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information page(s):
☐ Accommodation Information page(s):
☑ LEP Definition page(s):
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information

278

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: NM

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	NO
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	YES

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 5. Beyond offering a Spanish version of the New Mexico High School Competency Examination, the state prohibits all students, including LEP students, from receiving accommodations on statewide assessments. The fact that the state does allow tests in Spanish, but prohibits all accommodations indicates that in New Mexico, translated versions of tests are not considered an accommodation.
Q 8. For the writing test (grades 4, 6, 8): "No student should undergo a modified administration of the writing assessment due to limited English skills, but rather should have an appropriate alternative assessment in the home language."
Q 8. For the reading test (grades 1, 2, 4, 6, 8): Students exempted from taking statewide tests in English must take the tests in a language appropriate for each student. "If an appropriate test does not exist for a particular language, then educational achievement must be assessed by each student's teacher(s). Demonstration of mastery may involve the following:
1. Classroom, school, or district tests; 2. Student class work; and 3. Systematic teacher observations."

Q 8. The state allows the administration of standardized achievement tests in Spanish. Recommended tests are La Prueba de Realizacion en Espanol, Supera, and Aprenda 2: La Prueba de Logros en Espanol.

The documents provided indicate that, in New Mexico, there are no statewide guidelines for selecting a committee to decide on LEP student participation in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: NM

Year: 98/99

LEP Definition:

Source of definition:** Other

ELL (includes LEP and NEP) students.
Students with a primary or home language other than English who are unable to speak, read, write, and understand the English language at levels comparable to their grade-level English proficient peers as determined by objective measures of proficiency normed for language minority students and who also cannot meaningfully participate in the curriculum.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	Y
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #4. Recommended tests include: 1) Basic Inventory of Natural Language (BINL), 2) Idea Proficiency Test (IPT), 3) Language Assessment Scales (LAS), 4) Woodcock-Munoz Language Survey.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: NM

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	Not applicable	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	Not applicable	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, 12, 13. Beyond a Spanish version of the New Mexico High School Competency Examination, New Mexico does not allow accommodations for LEP students in state assessments.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: NM

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	2a
Languages:	Spanish
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: NM

Year: 98/99

Title: Procedures for the Indentification and Assessment of English Language Learners, New Mexico Department of Education Guidelines

Date: No date

Number of Pages: 70

Document Type: Guidelines

Document Number: 1 / 2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☐ Accommodation Information	page(s):
☑ LEP Definition	page(s): 4
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☑ Alternate Assessments	page(s): 6, 8
☑ Other	page(s): 6, 7, 8

Specify: Identifying LEP students

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: NM

Year: 98/99

Title: Memo from State Superintendent of Public Instruction to District Superintendents and Other Appropriate Personnel

Date: Feb 1999

Number of Pages: 9

Document Type: Memo

Document Number: 2 / 2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 1, 2, 4
☑ Accommodation Information	page(s): 2, 3
☐ LEP Definition	page(s):
☑ Reporting Information	page(s): 5-8
☐ Scoring Information	page(s):
☑ Alternate Assessments	page(s): 2
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: NV

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	NO
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 6. Scores are included for those tested under standard conditions, without accommodations that would disrupt others taking the test.

The documents provided indicate that, in Nevada, there are no specific guidelines or policies to define or identify LEP students, suggest a maximum amount of time a student can receive an exemption, or provide for alternate assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: NV

Year: 98/99

LEP Definition:

Source of definition:** Other

Not furnished

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #4. Language Assessment Scales (LAS) Reading/Writing and Oral assessments for students in grades 4, 8, 10.

Q 10, #9. Whether a student receives instruction in English and/or Mathematics in regular classrooms and can be tested under standardized conditions used with regular students.

Q 10. Exempted students may take one or more parts of the TerraNova assessment for diagnostic purposes, the results of which are not aggregated.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: NV

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	Accomodations that don't disrupt others.

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 12, #10a. Whether a student receives instruction in English and/or Mathematics in regular classrooms and can be tested under standardized conditions used with regular students.

Q 13, #10b. Available for the Writing exam only.

Q 13, #14. Provisions of special furniture, such as a carrel.

Q 13, #19. Not to exceed twice the allotted time of the test.
Not permissible for the TerraNova assessments.
Available only for writing assessments and the High School Proficiency Examinations.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: NV

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1a
2. Repetition of directions	1a
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1b, 2b

a. Test administered by ESL teacher or special test administrator.
b. Words in test topics may be defined.

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	1a
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	2b
20. Extended testing time (other days)	
21. Time of day most beneficial to student	1b
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	3
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: NV

Year: 98/99

Title: Guidelines for the Conduct of the Nevada Proficiency Examination Program, 1998-1999

Date: 1998

Number of Pages: 50

Document Type: Guidelines

Document Number: 1/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): Ap.D, pp.1,4
☑ Accommodation Information	page(s): Ap.D, pp.1,2
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: NV

Year: 98/99

Title: Adopted Regulations of the State Board of Education

Date: No date

Number of Pages: 12

Document Type: State regulations

Document Number: 2/2

Information Available:

Check all that apply.

- ☑ Inclusion/Exemption Information page(s): 389-11
- ☐ Accommodation Information page(s):
- ☐ LEP Definition page(s):
- ☑ Reporting Information page(s): 389-10
- ☑ Scoring Information page(s): 389-10
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: NY

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that, in New York State:

- The state does not provide specific guidelines regarding the participation of LEP students in statewide testing, including who should be selected to serve on a decision-making committee, and what criteria should be considered when making appropriate decisions;
- The state has no policy that allows for alternate or alternative assessments for LEP students who are exempted from statewide assessments

Document 1 states that "all LEP students must be provided with intensive English language instruction" and "a state and national search for effective models must be conducted." The state has designed a 12-step plan to provide appropriate services for ELLs, which is to be phased in from 1999 - 2001.

BEST COPY AVAILABLE

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: NY

Year: 98/99

LEP Definition:

Source of definition:** Other

"Pupils with limited English proficiency shall mean pupils who by reason of foreign birth or ancestry, speak a language other than English, and

1) either understand and speak little or no English; or

2) Score at or below the 40th percentile, or its equivalent as determined by the commissioner, on an English language assessment instrument approved by the commissioner provided, however, that no pupil shall be served in a bilingual or English as a second language education program pursuant to this Part for a period in excess of three years from the date of enrollment in school unless such period is extended by the commissioner with respect to an individaul pupil in accordance with the provisions of subdivision 2 of section 3204 of the Education Law."

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #7. For grades 4, 8: If a student scores at or above the 30th percentile on an (unspecified) English reading test, the student must take part in the English Language Arts (ELA) and Mathematics assessments. If a student scores below the 30th percentile, he/she may be exempted from the ELA assessment. If a student scores below the 30th percentile and the D.O.E. has a written translation of the Mathematics test in the student's native language, the student is required to take the test, either in English or in the student's native language. If the D.O.E. does not provide a written translation in the student's native language, the student may be exempted from the Mathematics test.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: NY

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	NO	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, c, e. The only indication of a guideline for choosing decision-makers is that the principal and the classroom teacher are to determine extended time accommodations; no mention is made of who should be the decision-makers regarding other accommodations.

Q 13, #7. All translations must be oral, word-for-word. Written translations are not allowed.
Q 13, #7. Available for all exams except English Language Arts.
Q 13, #7. Korean language translations are not available for assessments in grades 4, 8; only on the Comprehensive Regents exams.
Q 13, #25. Not available for tests of English or foreign languages.

Q 13. "Schools are encouraged to provide the most optimum testing environment and facilities for LEP students." This statement indicates that other unspecified accommodations may be allowed.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: NY

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	1a
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	2a
Languages:	Spanish, Chinese, Haitian Creole, Korean, Russian
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	1a
16. Small group administration	1a
17. In a separate location	1a
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	2a
26. Other (Specify below.)	3

Monolingual dictionaries

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: NY

Year: 98/99

Title: The Regents' Strategy for Intensive English Language Arts for LEP Students

Date: No date

Number of Pages: 30

Document Type: Guidelines

Document Number: 1/3

Information Available: Check all that apply.

☐ Inclusion/Exemption Information page(s):
☑ Accommodation Information page(s): 4
☐ LEP Definition page(s):
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: NY

Year: 98/99

Title: Memo from the Office of Bilingual Education and the Office of State Assessment to District Superintendents, School Superintendents and School Principals

Date: Jan 1999

Number of Pages: 6

Document Type: Memo with Guidelines

Document Number: 2/3

Information Available: Check all that apply.

- ☑ Inclusion/Exemption Information page(s): 1, 2
- ☑ Accommodation Information page(s): 2, 3
- ☐ LEP Definition page(s):
- ☐ Reporting Information page(s):
- ☐ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: NY

Year: 98/99

Title: Apportionment and Services for Pupils with Limited English Proficiency, Section 154.1

Date: 1999

Number of Pages: 6

Document Type: State Education Code

Document Number: 3/3

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☐ Accommodation Information	page(s):
☑ LEP Definition	page(s): 3
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: OH

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	NO

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 1. A policy has been proposed and is under consideration.

Q 7, 8. There is an alternative administration of the 9th grade Reading, Mathematics, and Citizenship assessments, but not the Writing assessment.

The documents provided indicate that, in Ohio, although there is no statewide policy regarding the inclusion and exemption of LEP students in statewide testing, such a policy has been proposed and is being considered. Aspects of the new proposal that have received mention in the documents are treated in general terms, indicating that the proposal will not address, or address specifically, such issues as the definition and identification of LEP students, inclusion, exemption, and accommodations criteria, and selection of appropriate team members for deciding on the participation of LEP students in statewide testing.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: OH

Year: 98/99

LEP Definition:

Source of definition:**

Not furnished.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	Not applicable	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	Not applicable	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, 10. Although these issues are not addressed, a policy has been proposed and is being considered. Under the proposed policy, the decision regarding LEP student inclusion and exemption would be made by "school districts"; no further specific information was provided. The criteria for exemption, under the new proposal, would be the amount of time a student has spent in English speaking schools. Students with less than 2 years in an English speaking school would be eligible for exemption.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: OH

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	NO	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #6. If not available, "gestures, demonstrations, and simplified sentences" may be used.

Q 13, #10. Available for seniors wishing to graduate only. Available for the Mathematics and Citizenship assessments only

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: OH

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	1a
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	2a
Use of a state-provided interpreter.	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	1a
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: OH

Year: 98/99

Title: Ohio Lau Resource Center Update

Date: Mar 1999

Number of Pages: 12

Document Type: Guidelines

Document Number: 1/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 5
☐ Accommodation Information page(s):
☐ LEP Definition page(s):
☑ Reporting Information page(s): 4, 5
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: OH

Year: 98/99

Title: Ohio's Statewide Testing Program: Rules for Proficiency Testing

Date: Apr 1997

Number of Pages: 54

Document Type: Guidelines

Document Number: 2/2

Information Available: Check all that apply.

- ☑ Inclusion/Exemption Information page(s): 2
- ☑ Accommodation Information page(s): 5
- ☐ LEP Definition page(s):
- ☐ Reporting Information page(s):
- ☐ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☑ Other page(s): 31

Specify: Alternate administration.

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: OK

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments. YES

2. State policy allows exemptions for LEP students for a specific amount of time. YES

3. If "YES," the longest possible period of exemption is: Three years

4. State policy allows accommodations in state assessments for LEP students. N/A

5. State policy prohibits specific accommodations from being offered in state assessments for LEP students. N/A

6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals. N/A

7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate. N/A

8. If "YES," state policy specifies alternate (alternative) assessments. ☐

*"N/A" means "Not addressed."

Comments related to questions 1-8

Documents provided indicate that, beyond a policy of allowing school districts to exempt students with 3 years or less in the state's schools, Oklahoma offers no policies or guidelines regarding the participation of LEP students in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: OK

Year: 98/99

LEP Definition:

Source of definition:** IASA

An individual who:

- was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or
- is a Native American, or Alaska Native, or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English proficiency; or
- is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and
- who has sufficient difficulty speaking, reading, writing, or understanding the English language, and whose difficulties may deny such an individual the opportunity to learn successfully in classrooms where the language of instruction is English, or to participate fully in society.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools	Y	9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	"To be established by the local school districts."

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, e. "At the discretion of the local district."

Q 10, #3. If 3 years or less, student is eligible to receive exemption.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: OK

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	Not applicable	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	Not applicable	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, 12, 13. Oklahoma does not have a policy that allows accommodations in state assessments for LEP students.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: OK

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3. Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: OK

Year: 98/99

Title: Oklahoma School Testing Program, Iowa Tests of Basic Skills, Pretest Inservice Manual

Date: Spring 1999

Number of Pages: 24

Document Type: Testing manual

Document Number: 1/3

Information Available:

Check all that apply.

- ☑ Inclusion/Exemption Information page(s): 17
- ☐ Accommodation Information page(s):
- ☐ LEP Definition page(s):
- ☐ Reporting Information page(s):
- ☐ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: OK

Year: 98/99

Title: Oklahoma State Department of Education LEP Definition

Date: Jan 1996

Number of Pages: 1

Document Type: Policy

Document Number: 2/3

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☐ Accommodation Information	page(s):
☑ LEP Definition	page(s): 1
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information ▼

303

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: OK

Year: 98/99

Title: Rules Pertaining to the Oklahoma School Testing Program

Date: 1995

Number of Pages: 1

Document Type: State Education Code

Document Number: 3/3

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s):
☐ Accommodation Information page(s):
☐ LEP Definition page(s):
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: OR

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments. YES

2. State policy allows exemptions for LEP students for a specific amount of time. N/A

3. If "YES," the longest possible period of exemption is:

4. State policy allows accommodations in state assessments for LEP students. YES

5. State policy prohibits specific accommodations from being offered in state assessments for LEP students. NO

6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals. YES

7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate. YES

8. If "YES," state policy specifies alternate (alternative) assessments. YES

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 6. Though the issue of inclusion and exclusion of LEP student test scores is not specifically addressed in the documents provided, document 1 indicates that scores of students who took the bilingual version of the mathematics test "are not included in averages."

Q 8. The state offers Form "E" versions of the state assessments. Form "E" versions are available for grades 3, 5, and 8, in Reading/Literature and Mathematics only, including bilingual versions in Spanish-English and Russian-English. The bilingual versions of Form "E" tests do not reduce the amount of "language" on the test. "Form 'E' versions are intended to provide more accurate scores for those students likely to respond to fewer than 30% of answers correctly."

The documents further indicate that Oregon identifies certain accommodations as maintaining standardized conditions and others as modifications that do not maintain standardized conditions, though there is no information provided that addresses the relationship, if any, between these differentiations and any effect(s) these have on score reporting.

Oregon imposes no maximum time limit on exemptions of LEP students from statewide testing. There is no mention in the documents provided of a statewide effort to provide services for LEP students who do not qualify to participate in statewide testing, nor of alternate or alternative assessments for LEP students.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: OR

Year: 98/99

LEP Definition:

Source of definition:**

Not furnished.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student	Y	f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	Parental objection; Spanish, Russian proficiency.

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, b. Parents who object to their child's participation in statewide assessments may have their child exempted.

Q 10, #4. On the reading and writing subtests of the Woodcock-Munoz, a student who earns a score of 4 or above (or an equivalent score on another reading and writing assessment), will take the Oregon Statewide Assessments in English. A student who scores above a 1 in either the reading and writing subtests in English or on a native language test in Spanish or Russian, is eligible to use the bilingual version of the mathematics test. A student who scores a 1 in a native language test and a 1 on the reading and writing subtest in English, may be exempt.

Q 10, #11. As determined by a formal proficiency test (unspecified).

Q 10. A student may be exempt from one subtest and included in others.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: OR

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student	Y	f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	NO	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #8. Available for the mathematics test.

Q 13, #7, 10e, 26. Oregon identifies these accommodations as modifications, rather than a standard administration.

Q 13, #2. Also a modified administration, if provided between each reading selection or between questions.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: OR

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1b
2. Repetition of directions	1b
3. Oral reading of questions in English	2c
4. Oral reading of questions in native language	2c
5. Person familiar with student administers test	
6. Translation of directions	1b
7. Translation of test into native language	2c
Languages:	Spanish (Russian versions are under development.)
8. Bilingual version of test	2a
Languages:	Spanish (Russian versions are under development.)
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1b (a-d), 2c(e)

a. Written version of oral directions b. Simplify lang. In direc's c. translation of key words on test d. highlight words in direc's e. rd. the rd/lit. test aloud

Response Format

11. Student can respond in native language	1c
12. Student dictates answers	1c
13. Other (Specify below.)	

Setting

14. Preferential seating	1b
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1b
20. Extended testing time (other days)	1b
21. Time of day most beneficial to student	1b
22. Frequent or extra breaks	1b
23. Other (Specify below.)	1b

Several sessions

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	1a

Use of an electronic translation device

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: OR

Year: 98/99

Title: Oregon Statewide Assessment Administration Manual

Date: 1999

Number of Pages: 14

Document Type: Manual

Document Number: 1/1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 10
☑ Accommodation Information	page(s): 12
☐ LEP Definition	page(s):
☑ Reporting Information	page(s): 11
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: PA

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The Handbook for Assessment Coordinators covers the above topics briefly. LEP students who have been in the U.S. for more than three years are excluded. Those who have been in the U.S. for more than three years are included. Accommodations are minimal. Data is collected regarding the student's LEP status, whether the student has been in U.S. schools for at least three years, and whether he or she was given extended time. "This is done so that the DRC [the test contractor] and the [State Education] Department will be aware that the sample may inaccurately reflect the school population."

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State:	PA	Year:	98/99
LEP Definition:		Source of definition:**	Other

Students who do not understand, speak, read or write English.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

"Students who do not understand, speak, read or write any English and have been in U.S. school systems less than three years should be excused from assessments." This approach seems to encourage exclusion, although the coordinator's handbook also states that all students should participate and exclusions should be kept to a minimum.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: PA

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	NO	e. School/district official(s)	☐
a. Student	☐	f. Test administrator(s)	☐
b. Parent(s)/guardian(s)	☐	g. Local committee (members not specified)	☐
c. Student's classroom teacher(s)	☐	h. Other(s)	
d. Student's ESL/bilingual teacher(s)	☐		

12. The criteria for accommodations are:

State policy addresses this issue.	NO	6. Performance in school work	☐
1. Time in U.S.	☐	7. Performance on other test(s)	☐
2. Time in U.S. schools/English speaking schools	☐	8. Academic background in home language	☐
3. Time in this state's schools	☐	9. Language program placement	☐
4. Formal assessment of English proficiency	☐	10. Routine classroom accommodations	☐
5. Informal assessment of English proficiency	☐	11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

The accommodations policy included in the handbook was prepared by the Eastern Instructional Support Center. It focuses on students with disabilities. No parallel version for LEP students is provided.

Q13 #3 Reading aloud the reading assessment is prohibited.
Q13 #18 Students can move to another room for extended time after the majority of students have completed their work.
Q13 #20 Extended time is given to all students on reading and mathematics components; LEP students can also take more time on the writing component.
Q13 #4, 7, 8, 11, 12 Students must read the "passages, tasks and items in English and respond to written portions in English."

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State:	PA	Year:	98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	3
4. Oral reading of questions in native language	3
5. Person familiar with student administers test	
6. Translation of directions	1a
7. Translation of test into native language	3
Languages:	
8. Bilingual version of test	3
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	3
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	1a
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	1a
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: PA

Year: 98/99

Title: The Pennsylvania System of School Assessment Handbook for Assessment Coordinators

Date: Feb-Mar 1999

Number of Pages: 28

Document Type: Handbook

Document Number: 1/2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 4, 5, 7
☑ Accommodation Information	page(s): 2,6,7, Ap.A
☑ LEP Definition	page(s): 5
☑ Reporting Information	page(s): 4
☑ Scoring Information	page(s): 4
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: PA

Year: 98/99

Title: The Pennsylvania System of School Assessment Writing Sample Administration Manual

Date: Feb-Mar 1999

Number of Pages: 13

Document Type: Test manual

Document Number: 2/2

Information Available: Check all that apply.

☑	Inclusion/Exemption Information	page(s): 2, 3
☑	Accommodation Information	page(s): 3
☐	LEP Definition	page(s):
☐	Reporting Information	page(s):
☑	Scoring Information	page(s): 10
☐	Alternate Assessments	page(s):
☐	Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: RI

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	NO
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 3. Expressed as one testing cycle.

Q 6. Scores of LEP students classified as advanced, using TESOL classification standards, are included. The scores of students classified as intermediate are not included. Scores of intermediate level students are sheltered for one testing cycle, in the expectation that they will progress to the advanced level or beyond by the next testing cycle.

The documents provided indicate that, in Rhode Island, while there are policies regarding many aspects of the participation and accommodation of LEP students in state assessments, some areas [illegible]ck specific information. The criteria provided for inclusion, exemption, and accommodations, for example, are general. Similarly, the state provides no guidelines for defining or identifying LEP students.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: RI

Year: 98/99

LEP Definition:

Source of definition:**

Not furnished.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency	Y	11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, b. For the Health Education Assessment.

Q 10, #5. A trained member of the school staff administers the TESOL ESL Proficiency Standards. Students who are determined to be at the beginning level of proficiency are exempted. Those determined to be at the intermediate or advanced level must participate in the assessment.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: RI

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	Y
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #3, #4. On the English Language Arts assessment, tasks can not be read to students.
Q 13, #7. Not available for the English Language Arts assessment.
Q 13, #10b. For the English Language Arts assessment, general administration directions can be taped. The actual task cannot be taped for the student to listen to.
Q 13, #11. Available on the Health and Mathematics tests only. On the Mathematics test, the student must include specific references to details of how to construct pictures, charts, graphs, etc.
Q 13, #13b. For the Writing and English Language Arts tests, the student must include specific references to grammar, spelling, and punctuation.
Q 13, #23. Not available for Writing and Health assessments.
Q 13. The following accommodations are prohibited:
    #25, for the Writing, Health Education, and English Language Arts assessments;
    #11, for the Writing and English Language Arts assessments.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: RI

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	2a
4. Oral reading of questions in native language	2a
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	2a
Languages:	Spanish
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1a, 2a

a. Directions simplified.
b. Audio taped presentation.

Response Format

11. Student can respond in native language	2a
12. Student dictates answers	1a
13. Other (Specify below.)	

Setting

14. Preferential seating	1a
15. Individual administration	1a
16. Small group administration	1a
17. In a separate location	1a
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	1a
21. Time of day most beneficial to student	1a
22. Frequent or extra breaks	1a
23. Other (Specify below.)	2a

Subtests in a different order.

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	2a
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: RI

Year: 98/99

Title: State Assessment Program Spring 1999 District and School Testing Coordinator's Handbook

Date: 1999

Number of Pages: 30

Document Type: Testing manual

Document Number: 1/3

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): Ap. F, p. 3
☑ Accommodation Information	page(s): Ap. E, pp.1-5
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☑ Scoring Information	page(s): Ap. F, p. 3
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: RI

Year: 98/99

Title: Policy on Student Participation and Assessment Accommodations

Date: 1999

Number of Pages: 21

Document Type: Policy

Document Number: 2/3

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s):	
☑ Accommodation Information	page(s):	15
☐ LEP Definition	page(s):	
☐ Reporting Information	page(s):	
☑ Scoring Information	page(s):	15, 16
☑ Alternate Assessments	page(s):	1
☑ Other	page(s):	12

Specify: Identifying LEP students

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: RI

Year: 98/99

Title: Mathematics and English Language Arts Teacher's Guide

Date: Spring 1999

Number of Pages: 30

Document Type: Guide

Document Number: 3/3

Information Available: Check all that apply.

- ☑ Inclusion/Exemption Information page(s): Ap.C, p.2
- ☐ Accommodation Information page(s):
- ☐ LEP Definition page(s):
- ☐ Reporting Information page(s):
- ☐ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: SC

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	NO
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Information regarding standardized assessments and LEP students is available in the test coordinator's manual. Suggestions regarding informal classroom assessments is available on a teacher-friendly handout.

In addition, there is an alternative holistic score scale available to LEP and ESL students designed to "place emphasis on the conveyance of meaning and other linguistic accommodations..." The score scale was created because "it has been evidenced that in the rigorous task of second language writing, linguistic and cultural interference may take place which would hinder the recognition of an ESL student's ability." Districts are free to develop their own manner of identifying students who are eligible for this scale.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: SC

Year: 98/99

LEP Definition:

Source of definition:** Other

A limited English proficient (LEP) student is defined as a student who has a background language other than English and is not proficient in listening, speaking, reading, or writing in the English-speaking classroom as determined by a language assessment instrument.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q9b A letter of waiver from a parent or guardian must accompany the decision of an academic team that taking statewide assessments is not in the student's best interest.

The criteria in Q10 must all be met to exempt a student from statewide assessment. "As soon as the LEP student has reading and writing abilities in English, s/he should begin taking standardized tests. The school system is responsible to prepare all students to participate fully in the educational system. Although the test scores will probably not accurately reflect all that the student knows (due to their [sic] limited English proficient), the information will offer necessary baseline data on the student."

Q10 #2 If three years or less, student is eligible for exemption.

Q10 #4 Tests include Language Assessment Scales (LAS), IPT-IDEA Proficiency Test, Woodcock-Munoz, and Language Assessment Battery (LAB)

"During the period of exemption, a school district is still responsible for the student's academic progress and is required to chart that progress by informal means (informal assessment, grading), as well as formal means (language assessment instrument)."

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: SC

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency	Y	10. Routine classroom accommodations	
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q12 #4 Students whose scores fall below fluent on their language assessment test but who do not meet the exemption criteria may use accommodations when taking state assessments.

Q12 #2 & #10 These are the two criteria that determine eligibility for the use of the Alternative Holistic Score Scale on the Basic Skills Assessment Program (BSAP), Writing Subtest. The time limit is less than eight years in English-medium instruction.

Q13 #3 Oral administration is allowed for the Palmetto Achievement Tests (PACT) Mathematics and Science Tests and the BASP Exit Examination in Reading and Mathematics Tests.
(For the Reading Subtest, the student's record reflects that his/her score reflects the ability to process information read to him or her, not the ability to decode printed symbols.)

Q13 #26 Students are permitted to use "word-by-word bilingual dictionaries" that do not include definitions during all BSAP Exit Examination Subtests and the PACT. Bilingual dictionaries that include definitions may be used during the BSAP Exit Examination Writing Subtest and day 1 of the PACT English Language Arts Test in grades 6, 7, and 8 only.

Q13 #27 See above (Q12 #2 & #10) for criteria related to the use of the Alternative Holistic Score Scale.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: SC

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1a
2. Repetition of directions	1a
3. Oral reading of questions in English	2a
4. Oral reading of questions in native language	
5. Person familiar with student administers test	1a
6. Translation of directions	1a
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	1a

Student can write directly in the test booklet.

Setting

14. Preferential seating	
15. Individual administration	1a
16. Small group administration	1a
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	1a, 2a
26. Other (Specify below.)	2a

Alternative Holistic Score Scale

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: SC

Year: 98/99

Title: Test Coordinator's Manual for the South Carolina Basic Skills Assessment Program and Palmetto Achievement Challenge Tests

Date: Spring 1999

Number of Pages: 83

Document Type: Test manual

Document Number: 1/6

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 5, 49, 50
☑ Accommodation Information	page(s): 49-51
☑ LEP Definition	page(s): 49
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: SC

Year: 98/99

Title: South Carolina Basic Skills Assessment Program, Alternative Holistic Score Scale for ESL and Students with Disabilities to Comply with 1993 Act 153

Date: No date

Number of Pages: 1

Document Type: Holistic score scale

Document Number: 2/6

Information Available: Check all that apply.

☐ Inclusion/Exemption Information page(s):
☐ Accommodation Information page(s):
☐ LEP Definition page(s):
☐ Reporting Information page(s):
☑ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: SC

Year: 98/99

Title: State of South Carolina Department of Education Implementation of Act 153 of 1993

Date: Oct 1993

Number of Pages: 3

Document Type: Memo

Document Number: 3/6

Information Available: Check all that apply.

- ☐ Inclusion/Exemption Information page(s):
- ☐ Accommodation Information page(s):
- ☐ LEP Definition page(s):
- ☐ Reporting Information page(s):
- ☑ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: SC

Year: 98/99

Title: District Identification Procedures for BSAP Exit Exam in Compliance with PL 3808

Date: Feb 1994

Number of Pages: 2

Document Type: Memo

Document Number: 4/6

Information Available: Check all that apply.

- ☐ Inclusion/Exemption Information page(s): ______
- ☐ Accommodation Information page(s): ______
- ☐ LEP Definition page(s): ______
- ☐ Reporting Information page(s): ______
- ☑ Scoring Information page(s): ______
- ☐ Alternate Assessments page(s): ______
- ☐ Other page(s): ______

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: SC

Year: 98/99

Title: District Identification Procedures for BASP Exit Exam in Compliance with PL 3808--Clarification

Date: Apr 1994

Number of Pages: 1

Document Type: Memo

Document Number: 5/6

Information Available: Check all that apply.

- ☐ Inclusion/Exemption Information page(s):
- ☐ Accommodation Information page(s):
- ☐ LEP Definition page(s):
- ☐ Reporting Information page(s):
- ☑ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: SC

Year: 98/99

Title: Testing and Assessment of LEP Students: What to do?

Date: No date

Number of Pages: 1

Document Type: Teacher-friendly handout

Document Number: 6/6

Information Available:

Check all that apply.

- ☑ Inclusion/Exemption Information page(s): ______
- ☐ Accommodation Information page(s): ______
- ☐ LEP Definition page(s): ______
- ☐ Reporting Information page(s): ______
- ☐ Scoring Information page(s): ______
- ☐ Alternate Assessments page(s): ______
- ☐ Other page(s): ______

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: SD

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	N/A
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	N/A
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

The documents provided indicate that South Dakota has no policies or guidelines regarding the participation and accommodation of LEP students in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: SD

Year: 98/99

LEP Definition:

Source of definition:** IASA

A limited English proficient individual is one who:

- was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or
- is a Native American, or Alaska Native, or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English proficiency; or
- is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and
- who has sufficient difficulty speaking, reading, writing, or understanding the English language, and whose difficulties may deny such an individual the opportunity to learn successfully in classrooms where the language of instruction is English, or to participate fully in society.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	NO	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #2. If less than 3 years, student can be exempted.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: SD

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue. Not applicable

a. Student ☐

b. Parent(s)/guardian(s) ☐

c. Student's classroom teacher(s) ☐

d. Student's ESL/bilingual teacher(s) ☐

e. School/district official(s) ☐

f. Test administrator(s) ☐

g. Local committee (members not specified) ☐

h. Other(s) ☐

12. The criteria for accommodations are:

State policy addresses this issue. Not applicable

1. Time in U.S. ☐
2. Time in U.S. schools/English speaking schools ☐
3. Time in this state's schools ☐
4. Formal assessment of English proficiency ☐
5. Informal assessment of English proficiency ☐
6. Performance in school work ☐
7. Performance on other test(s) ☐
8. Academic background in home language ☐
9. Language program placement ☐
10. Routine classroom accommodations ☐
11. Other(s) ☐

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, 12, 13. South Dakota has no policy that allows accommodations for LEP students in statewide assessments.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: SD

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions
2. Repetition of directions
3. Oral reading of questions in English
4. Oral reading of questions in native language
5. Person familiar with student administers test
6. Translation of directions
7. Translation of test into native language

Languages:

8. Bilingual version of test

Languages:

9. Simplified/sheltered English version of test
10. Other (Specify below.)

Response Format

11. Student can respond in native language
12. Student dictates answers
13. Other (Specify below.)

Setting

14. Preferential seating
15. Individual administration
16. Small group administration
17. In a separate location
18. Other (Specify below.)

Timing/Scheduling

19. Extended testing time (same day)
20. Extended testing time (other days)
21. Time of day most beneficial to student
22. Frequent or extra breaks
23. Other (Specify below.)

Other Accommodations

24. Out-of-level testing
25. Use of word lists/dictionaries
26. Other (Specify below.)

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: SD

Year: 98/99

Title: District Test Coordinator Pre-test Manual (Excerpt)

Date: 1999

Number of Pages: 1

Document Type: Testing manual

Document Number: 1/1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 1
☐ Accommodation Information	page(s):
☑ LEP Definition	page(s): 1
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: TN

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments. YES

2. State policy allows exemptions for LEP students for a specific amount of time. YES

3. If "YES," the longest possible period of exemption is: More than three years

4. State policy allows accommodations in state assessments for LEP students. YES

5. State policy prohibits specific accommodations from being offered in state assessments for LEP students. YES

6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals. N/A

7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate. N/A

8. If "YES," state policy specifies alternate (alternative) assessments.

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 2, 3. A student may delay taking the Tennessee Proficiency Test until "later high school years".

The documents provided indicate that Tennessee offers minimal policies and guidelines regarding the participation and accommodation of LEP students in statewide testing, shifting the burden of developing an appropriate system to the local level.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: TN

Year: 98/99

LEP Definition:

Source of definition:**

Not furnished.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	YES	e. School/district official(s)	
a. Student	Y	f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #9. If a student scores below the 20th percentile on a Tennessee Comprehensive Assessment Program (TCAP) subtest, the student may be excluded from testing.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: TN

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue	NO	e. School/district official(s)	☐
a. Student	☐	f. Test administrator(s)	☐
b. Parent(s)/guardian(s)	☐	g. Local committee (members not specified)	☐
c. Student's classroom teacher(s)	☐	h. Other(s)	
d. Student's ESL/bilingual teacher(s)	☐		

12. The criteria for accommodations are:

State policy addresses this issue	NO	6. Performance in school work	☐
1. Time in U.S.	☐	7. Performance on other test(s)	☐
2. Time in U.S. schools/English speaking schools	☐	8. Academic background in home language	☐
3. Time in this state's schools	☐	9. Language program placement	☐
4. Formal assessment of English proficiency	☐	10. Routine classroom accommodations	☐
5. Informal assessment of English proficiency	☐	11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #23. Available only for the Tennessee Proficiency Tests (TPT).

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: TN

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	3
4. Oral reading of questions in native language	
5. Person familiar with student administers test	1a
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1a, 3

a) Administration of a single subtest;
b) Oral reading of directions.

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	1a
16. Small group administration	1a
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	2a

Shorter sessions.

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	3
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: TN

Year: 98/99

Title: Tennessee Comprehensive Assessment Program Achievement Test Allowable Test Modifications for LEP Students

Date: No date

Number of Pages: 1

Document Type: Guidelines

Document Number: 1 / 2

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 1
☑ Accommodation Information	page(s): 1
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State:	TN	Year:	98/99
Title:	Tennessee Proficiency Test Allowable Test Modifications for LEP Students		
Date:	No date	Number of Pages:	1
Document Type:	Guidelines	Document Number:	2 / 2

Information Available:

Check all that apply.

☑ Inclusion/Exemption Information	page(s): 1
☐ Accommodation Information	page(s):
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: TX

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	YES

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 4. The state offers the Texas Assessment of Academic Skills (TAAS) in Spanish in grades 3 through 6.

Q 8. An alternate assessment is required when a student is exempted from the TAAS tests.
Q 8. The state offers a list of state-approved alternate assessments appropriate for various grade levels and various content areas. Approved tests include: IDEA, LAS, Woodcock-Munoz, CAT, CTBS, ITBS, TAP, MAT 7, SAT 9, TerraNova, TASK, La Prueba Riverside de Realizacion en Espanol, SABE 2, Aprenda 2: La Prueba de Logros en Espanol, and Terra Nova Supera
Q 8. In grades 3 through 6, released TAAS tests from previous administrations can be offered.
Q 8. For students who may not be literate and for whom paper and pencil tests may not be valid, portfolio assessments may be used.

The documents provided indicate that:

- Texas requires each school district to establish a Local Proficiency Assessment Committee (LPAC) to decide on LEP students' participation in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: TX

Year: 98/99

LEP Definition:

Source of definition:** Other

"'Student of limited English proficiency' means a student whose primary language is other than English and whose English language skills are such that the student has difficulty performing ordinary classwork in English."

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	A language proficiency assessment committee (LPAC)
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	YES	6. Performance in school work	Y
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	Y
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency	Y	11. Other(s)	Spanish abilities; Language of instruction/test

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, h. Committee members are to include a professional bilingual educator, a professional transitional language educator, a parent of a limited English proficient student, and a campus administrator.

Q 10, #2. If less than 3 years, student is eligible for exemption.
Q 10, #7. Unspecified.
Q 10. For exit level tests, a student who is a recent immigrant (no more than 12 months in the U.S.) may be exempted for one test administration; otherwise, LEP exemptions are not permitted from exit level tests and end-of-course tests. The maximum total time of exemption from the English language version of the TAAS tests is 3 years, including years taking the Spanish version. For a student who is enrolled continuously beginning at least in the first grade, the LPAC is discouraged from selecting exemptions for more than 2 years. A student who does not participate in a bilingual or ESL program due to parental denial can not qualify for an LEP exemption.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: TX

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #1, 2, 5, 14, 15, 16, 17, 22. These accommodations are available to any student who meets the eligibility criteria, including LEP students.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: TX

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1b
2. Repetition of directions	1b
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	1b
6. Translation of directions	1b
7. Translation of test into native language	2b
Languages:	Spanish
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	2b
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	1b
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1b
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	1b
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	3
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: TX

Year: 98/99

Title: Testing LEP Students: 1998 - 1999 State Assessment Program (Used to train testing personnel in test administration procedures that relate to state administrative code.)

Date: 1999

Number of Pages: 3

Document Type: State administrative code manual

Document Number: 1/7

Information Available:

Check all that apply

☑ Inclusion/Exemption Information	page(s): 2
☐ Accommodation Information	page(s):
☐ LEP Definition	page(s):
☑ Reporting Information	page(s): 2
☑ Scoring Information	page(s): 2
☑ Alternate Assessments	page(s): 2
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: TX

Year: 98/99

Title: Texas Administrative Code Section 101.3

Date: No date

Number of Pages: 2

Document Type: State administrative code

Document Number: 2/7

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 1, 2
☐ Accommodation Information page(s):
☐ LEP Definition page(s):
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☑ Alternate Assessments page(s): 1
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: TX

Year: 98/99

Title: 1999 Grade 4 TAAS Test Administrator Manual

Date: 1999

Number of Pages: 7

Document Type: Test Administrator Manual

Document Number: 3/7

Information Available: Check all that apply.

☐ Inclusion/Exemption Information page(s):
☑ Accommodation Information page(s): 24-26, 51, 52
☐ LEP Definition page(s):
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: TX

Year: 98/99

Title: 1998-1999 Alternative Assessment Report Forms

Date: 1998

Number of Pages: 1

Document Type: Report Forms

Document Number: 4/7

Information Available: Check all that apply.

☐ Inclusion/Exemption Information page(s):
☐ Accommodation Information page(s):
☐ LEP Definition page(s):
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☑ Alternate Assessments page(s): 1
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: TX

Year: 98/99

Title: 1998-1999 List of Approved Tests for Assessment of Limited English Proficient Students

Date: 1998

Number of Pages: 5

Document Type: Test list

Document Number: 5/7

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 3-7
☐ Accommodation Information page(s):
☐ LEP Definition page(s):
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☑ Alternate Assessments page(s): 3-7
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: TX

Year: 98/99

Title: Texas School Law Bulletin

Date: No date

Number of Pages: 3

Document Type: State administrative code

Document Number: 6/7

Information Available: Check all that apply.

☑ Inclusion/Exemption Information page(s): 141, 142
☐ Accommodation Information page(s):
☑ LEP Definition page(s): 137
☐ Reporting Information page(s):
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: TX

Year: 98/99

Title: Commissioner's Rules Concerning State Plan for Educating Limited English Proficient Students

Date: No date

Number of Pages: 1

Document Type: Rules

Document Number: 7/7

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 5
☐ Accommodation Information	page(s):
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: UT

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	NO
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 2, 3. Allowed for the SAT only.

Q 4. Available for the Core Assessment Program. Accommodations for the SAT assessment are not addressed.

The documents provided indicate that, in Utah:
- Participation in the Utah State Core Curriculum's Core Assessment Program is voluntary on the part of school districts;
- The state "strongly encourages full inclusion and accommodation," but offers no specific policies or guidelines for addressing the many aspects of LEP student participation and accommodation in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State:	UT	Year:	98/99
LEP Definition:		Source of definition:**	Other

Not furnished.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S.** schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."
** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, 10. For the SAT only.

Q 10, #2. If less than 3 years, student is eligible for exemption.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: UT

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue	NO	e. School/district official(s)	☐
a. Student	☐	f. Test administrator(s)	☐
b. Parent(s)/guardian(s)	☐	g. Local committee (members not specified)	☐
c. Student's classroom teacher(s)	☐	h. Other(s)	
d. Student's ESL/bilingual teacher(s)	☐		

12. The criteria for accommodations are:

State policy addresses this issue	YES	6. Performance in school work	☐
1. Time in U.S.	☐	7. Performance on other test(s)	☐
2. Time in U.S. schools/English speaking schools	☐	8. Academic background in home language	☐
3. Time in this state's schools	☐	9. Language program placement	☐
4. Formal assessment of English proficiency	☐	10. Routine classroom accommodations	☐
5. Informal assessment of English proficiency	☐	11. Other(s)	To be adopted by districts.

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #7. Available for Core assessments only.

Q 13. Documents indicate no specific accommodations allowed or prohibited, but that any accommodation would violate standardized requirements of the tests.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: UT

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	2a
Languages:	Not specified.
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Setting

14. Preferential seating	
15. Individual administration	
16. Small group administration	
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	
23. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: UT

Year: 98/99

Title: Guidelines for Inclusion and Accommodation of Students in Statewide Testing Programs

Date: Aug 1997

Number of Pages: 5

Document Type: Guidelines

Document Number: 1 / 1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 3, 5
☐ Accommodation Information	page(s):
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☑ Scoring Information	page(s): 4
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: VA

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	YES
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 1. There are no exemptions from the Standards of Learning (SOL) assessments for students enrolled in high school courses associated with the tests.

Q 2, 3. There is a one-time exemption from the SOL assessments at grades 3, 5, or 8.

Q 6. For the SOL exams at grades 3, 5, 8, and for high school end-of-course tests: scores of students who have been enrolled in school fewer than 11 semesters will not be included when calculating the school's accreditation rating. Scores resulting from a nonstandard accommodation must be accompanied by an explanation that the scores resulted from a nonstandard administration of the exam.

Q 6. For the Virginia Student Assessment Program (VSAP): The scores of LEP students who took the tests without accommodations or with standard accommodations are included in the school/division averages. Scores of those who received non-standard accommodations are not included.

The documents provided indicate that Virginia has established policies and guidelines regarding the participation and accommodation of LEP students in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: VA

Year: 98/99

LEP Definition:

Source of definition:** IASA

A limited English proficient individual is one who:

- was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or
- is a Native American, or Alaska Native, or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English proficiency; or
- is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and
- who has sufficient difficulty speaking, reading, writing, or understanding the English language, and whose difficulties may deny such an individual the opportunity to learn successfully in classrooms where the language of instruction is English, or to participate fully in society.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	Person responsible for education of ELLs
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	YES	6. Performance in school work	Y
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	Y
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency	Y	11. Other(s)	Whether inclusion is appropriate for the student.

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #4. School division assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: VA

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	Person responsible for the education of ELLs
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 13, #3. Not available on the Virginia State Assessment Program (VSAP) reading test.

Q 13. The following accommodations have been identified as not maintaining standardized conditions for the VSAP exams:

#10b, #19, #22, #25.

Q 13. The following accommodations have been identified as not maintaining standardized conditions for the Standards of Learning (SOL) exams:

#3, when used on the English: Reading/Literature and Research exam. #12

Q 13, #19, #20, #25. Available only on VSAP exams.

Q 13, #10a (Reading the directions in English), #12, # 13: Available only on SOL exams.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: VA

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1b
2. Repetition of directions	
3. Oral reading of questions in English	2c
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1b, 1c

a. Reading the directions in English; simplifying oral directions; place markers to maintain place.
b. Reading the embedded written directions.

Response Format

11. Student can respond in native language	
12. Student dictates answers	2b
13. Other (Specify below.)	2b

Student responds verbally; teacher or proctor marks answer sheet.

Setting

14. Preferential seating	1b
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	2c
20. Extended testing time (other days)	2b
21. Time of day most beneficial to student	1b
22. Frequent or extra breaks	1c
23. Other (Specify below.)	1b

Order of tests administered; Several sessions.

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	2c
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: VA

Year: 98/99

Title: LEP Students: Guidelines for Participation in the Standards of Learning Assessments

Date: Oct 1997

Number of Pages: 7

Document Type: Guidelines

Document Number: 1/4

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 2, 3
☑ Accommodation Information	page(s): 3-5
☑ LEP Definition	page(s): 1
☐ Reporting Information	page(s):
☑ Scoring Information	page(s): 5
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: VA

Year: 98/99

Title: LEP Students: Guidelines for Testing in the Virginia State Assessment Program (Norm-Referenced Testing)

Date: Feb 1997

Number of Pages: 8

Document Type: Guidelines

Document Number: 2/4

Information Available:

Check all that apply.

☑ Inclusion/Exemption Information	page(s):	1, 5
☑ Accommodation Information	page(s):	4, 5
☑ LEP Definition	page(s):	1, 2
☑ Reporting Information	page(s):	6, 7
☐ Scoring Information	page(s):	
☐ Alternate Assessments	page(s):	
☐ Other	page(s):	

Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: VA

Year: 98/99

Title: Virginia Standards of Learning Assessments, Procedures to Follow in Providing Students with Accommodations

Date: Feb 1998

Number of Pages: 4

Document Type: Procedures manual

Document Number: 3/4

Information Available:

Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☑ Accommodation Information	page(s): 1
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: VA

Year: 98/99

Title: Memo from the Superintendent of Public Instruction to Division Superintendents in Virginia

Date: Jun 1999

Number of Pages: 9

Document Type: Memo

Document Number: 4/4

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 1, 5
☐ Accommodation Information	page(s):
☑ LEP Definition	page(s): 3
☑ Reporting Information	page(s): 1, 5
☐ Scoring Information	page(s):
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: VT

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Two years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	YES
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	NO

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 6, 7, 8. The documents provided contain the terms "Modified Assessments," "Adapted Assessments," "Alternate Assessments," and "Accommodated Assessments." Occasional references to these terms, which follow below, shed some light on the differences among them, but the character and function of each type of assessment is not always clear.
* An Alternate Assessment differs from an Accommodated Assessment in that the standards being measured are derived from the student's individualized curricula. * An Adapted Assessment can be out-of-level test editions of regular assessments.
* Scores from Adapted Assessments and Modified Assessments are not to be included with scores from regular assessments. * Alternate Assessments are not yet available for the grade 2 Developmental Reading Assessment.

The term LEP is never used; rather, a reasonable assumption is that LEP students fall into the broad category of "students with special needs." No specific guidelines regarding decision-making, accommodations criteria, and alternate assessments are provided.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: VT

Year: 98/99

LEP Definition:

Source of definition:**

Not furnished

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #2. If 2 years or less, a student is eligible for exemption.
Q 10, #7. Tests are not specified.

Exemptions do not apply to portfolio assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: VT

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student	Y	f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	Suggestions of test publisher.

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 12, #7. Practice tests and released tasks are not specified.

Q 13. The following accommodations have been identified as not maintaining standardized conditions:
#10a, when used on the English Language Arts and Developmental Reading Assessments;
#13, when used on independent writing and long response to reading passages sections;
#23b, when used on a writing section;
and #24.

Q 13, #13, #24. Not available on the grade 2 Developmental Reading Assessment.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: VT

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	2a
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	2a, 1a

a) Use of an interpreter b) Use of video or audio tape

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	2a

Use of a scribe.

Setting

14. Preferential seating	
15. Individual administration	1a
16. Small group administration	
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	
22. Frequent or extra breaks	1a
23. Other (Specify below.)	1a, 2a

a) No time limits.
b) Group breaks: more than 20-minute intermission

Other Accommodations

24. Out-of-level testing	2a
25. Use of word lists/dictionaries	
26. Other (Specify below.)	1a

Solution maps; Pre-conferencing

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies

BEST COPY AVAILABLE

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: VT

Year: 98/99

Title: Statewide Assessments and Students with Special Assessment Needs

Date: 1996

Number of Pages: 61

Document Type: Guidelines

Document Number: 1/5

Information Available: Check all that apply.

☐	Inclusion/Exemption Information	page(s):
☑	Accommodation Information	page(s): 40,43,51,53
☐	LEP Definition	page(s):
☐	Reporting Information	page(s):
☐	Scoring Information	page(s):
☑	Alternate Assessments	page(s): 40
☐	Other	page(s):

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: VT

Year: 98/99

Title: Memo to Teachers who have ESL or LEP Students

Date: Apr 1998

Number of Pages: 2

Document Type: Memo

Document Number: 2/5

Information Available:

Check all that apply.

☐ Inclusion/Exemption Information	page(s):
☐ Accommodation Information	page(s):
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☑ Alternate Assessments	page(s): 2
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: VT

Year: 98/99

Title: Including All Students in Vermont's Comprehensive Assessment System: Why and How

Date: Jan 1998

Number of Pages: 11

Document Type: Administration manual

Document Number: 3/5

Information Available:

Check all that apply.

☑ Inclusion/Exemption Information	page(s):	5, 10
☑ Accommodation Information	page(s):	6
☐ LEP Definition	page(s):	
☐ Reporting Information	page(s):	
☐ Scoring Information	page(s):	
☑ Alternate Assessments	page(s):	2
☐ Other	page(s):	

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: VT

Year: 98/99

Title: Memo regarding Assessment Participation Tools and Materials

Date: Jan 1999

Number of Pages: 2

Document Type: Memo

Document Number: 4/5

Information Available: Check all that apply.

☐ Inclusion/Exemption Information	page(s)	
☑ Accommodation Information	page(s)	2
☐ LEP Definition	page(s)	
☐ Reporting Information	page(s)	
☐ Scoring Information	page(s)	
☐ Alternate Assessments	page(s)	
☐ Other	page(s)	

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: VT

Year: 98/99

Title: Procedures and Options for Including All Students in Vermont's Comprehensive Assessment System

Date: 1999

Number of Pages: 8

Document Type: Testing manual

Document Number: 5/5

Information Available: Check all that apply

☑ Inclusion/Exemption Information	page(s):	3
☑ Accommodation Information	page(s):	3, 4, 8
☐ LEP Definition	page(s):	
☐ Reporting Information	page(s):	
☐ Scoring Information	page(s):	
☑ Alternate Assessments	page(s):	1, 5, 6
☐ Other	page(s):	

Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: WA

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	NO
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	NO

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 3. Expressed as "one administration of the test."

Q 6. "Reports of results should include students in special populations."

The documents provided indicate that, in Washington, regarding the participation and accommodation of LEP students in statewide assessments, there are no specific state policies or guidelines for:
- Defining and identifying LEP students. In fact, Washington doesn't distinguish LEP students as a distinct population. Rather, the term "ESL/Bilingual" is used;
- Providing inclusion, exemption, or accommodations criteria;
- Providing alternate assessments.

The policies and guidelines are consistent in that they pass the responsibility of developing specific systems for addressing the many aspects of LEP participation and accommodation in state assessments on to the local school districts.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: WA

Year: 98/99

LEP Definition:

Source of definition:** Other

The state doesn't define LEP as a distinct student population.
ESL/Bilingual students: Students who have a primary language other than English and have English language skill deficiencies which impair their learning in regular classrooms.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	ESL/bilingual/migrant specialist; Interpreter
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency		11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994)

Comments related to questions 9 & 10

Q 9, e. Building administrator.

Q 10, #4. A student who scores at the lowest level on a state-approved language proficiency test administered within the current school year can be exempted.

Q 10. There are no automatic exemptions.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: WA

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, g. "A team of educators familiar with the student's special needs."

Q 12. Accommodations should be considered on a test by test basis, not automatically applied to all assessments.

Q 13, #3. Available on the Mathematics assessment.
Q 13, #19. All state assessments are untimed, therefore any student may have more time.
Q 13, #25. Not allowed on the Reading assessment.

BEST COPY AVAILABLE

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: WA

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1b
2. Repetition of directions	1b
3. Oral reading of questions in English	2b
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	1b
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	1b
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	1b
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1b
20. Extended testing time (other days)	1b
21. Time of day most beneficial to student	1b
22. Frequent or extra breaks	1b
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	2b
26. Other (Specify below.)	3

Student created dictionaries.

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: WA

Year: 98/99

Title: Revised Guidelines for Inclusion and Accommodations for Special Populations on the Washington Assessment of Student Learning

Date: Feb 1999

Number of Pages: 23

Document Type: Guidelines

Document Number: 1/2

Information Available:

Check all that apply.

☑ Inclusion/Exemption Information page(s): 5, 6, 7, 10
☑ Accommodation Information page(s): 13-16
☑ LEP Definition page(s): 18
☑ Reporting Information page(s): 12
☐ Scoring Information page(s):
☐ Alternate Assessments page(s):
☐ Other page(s):
Specify:

Usefulness: Contains substantial relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: WA

Year: 98/99

Title: State Assessment Policy for ESL Students for Washington State

Date: No date

Number of Pages: 1

Document Type: Policy

Document Number: 2/2

Information Available: Check all that apply.

☐ Inclusion/Exemption Information page(s): ______

☐ Accommodation Information page(s): ______

☐ LEP Definition page(s): ______

☐ Reporting Information page(s): ______

☐ Scoring Information page(s): ______

☐ Alternate Assessments page(s): ______

☐ Other page(s): ______

Specify:

Usefulness: Contains some relevant information

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: WI

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	N/A
3. If "YES," the longest possible period of exemption is:	
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	NO

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 8. Students who do not participate in the Wisconsin Knowledge and Concepts Examinations (WKCE), statewide assessments taken at grades 4, 8, and 10, are required to receive an alternate assessment.

Q 8. Wisconsin has identified Alternate Performance Indicators (API) as an alternative means of assessing LEP students. The APIs are in a transitional stage, from a focus on assessing language proficiency to one that presents a clearer picture of a student's academic skills, as well as a student's readiness for participating in the WKCE. The state recognizes that locally developed standards-based alternate assessments offer the "best practices" solution for full inclusion of students with LEP at the early English language proficiency levels.

The documents provided indicate that Wisconsin has focused on establishing a framework for helping local school districts develop APIs. The state does not provide specific guidelines for selecting a committee to decide on LEP student participation and accommodations in statewide testing, or for recommending inclusion/exemption and accommodations criteria. Local schools districts must decide on these matters.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: WI

Year: 98/99

LEP Definition:

Source of definition:** Other

A pupil whose ability to use the English language is limited because of the use of a non-English language in his or her family or in his or her daily, nonschool surroundings, and who has difficulty, as defined by rule by the state superintendent, in performing ordinary classwork in English as a result of such limited English language ability.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	
5. Informal assessment of English proficiency	Y	11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 10, #4. This assessment is unspecified.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: WI

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	Y
c. Student's classroom teacher(s)	Y	h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 12, #4. Students who, as a result of an (unspecified) assessment, are identified as having a level 5 English language proficiency, as defined by PI Administrative Rule 13.03(3)(a)-(e), may not receive accommodations on the Wisconsin Reading Comprehension Test (WCRT), taken at grade 3.

Q 13, #10a. Available for the Mathematics, Science, and Social Studies tests of the Wisconsin Knowledge and Concepts Examinations (WKCE) only.

Q 13. This is not an exhaustive list. Other (unspecified) accommodations are available.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: WI

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	
3. Oral reading of questions in English	2a
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	1a

"Someone records student's responses."

Setting

14. Preferential seating	1a
15. Individual administration	
16. Small group administration	1a
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1a
20. Extended testing time (other days)	1a
21. Time of day most beneficial to student	1a
22. Frequent or extra breaks	1a
23. Other (Specify below.)	1a

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: WI

Year: 98/99

Title: DPI Guidelines to Facilitate the Participation of Students with Special Needs in State Assessments

Date: Jan 1999

Number of Pages: 11

Document Type: Guidelines

Document Number: 1/2

Information Available:

Check all that apply.

☑ Inclusion/Exemption Information	page(s): 2
☑ Accommodation Information	page(s): 2, 9, 10
☐ LEP Definition	page(s):
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☑ Alternate Assessments	page(s): 3
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: WI

Year: 98/99

Title: Standards-Based Alternate Assessment for Limited English Proficient Students

Date: Feb 1999

Number of Pages: 135

Document Type: Guidelines

Document Number: 2/2

Information Available: Check all that apply.

- ☐ Inclusion/Exemption Information page(s):
- ☐ Accommodation Information page(s):
- ☑ LEP Definition page(s): 1
- ☐ Reporting Information page(s):
- ☐ Scoring Information page(s):
- ☐ Alternate Assessments page(s):
- ☐ Other page(s):

Specify:

Usefulness: Contains some relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: WV

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Three years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	YES
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	N/A
8. If "YES," state policy specifies alternate (alternative) assessments.	

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 6. Scores of students who receive accommodations that do not maintain standard conditions are not included in school/county averages. Scores of students who receive accommodations that maintain standard conditions are included.

The documents provided indicate that West Virginia has established policies and specific guidelines for addressing the many aspects of the participation and accommodation of LEP students in statewide assessments.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: WV

Year: 98/99

LEP Definition:

Source of definition:** FR

A limited English proficient student is an individual:
(1) i. who was not born in the United States or whose native language is other than English;
ii. who comes from a home in which a language other than English is dominant; or
iii. who is an American Indian or Alaskan Native and comes from a home in which
a language other than English has had significant impact on his or her level of English language proficiency as a result of substantial use of that other language for communication; AND
(2) who, as a result of the circumstances described in paragraph (1) of the definition, has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him or her the opportunity to:
i. learn successfully in classrooms in which the language of instruction is English; or
ii. participate fully in our society.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	Person responsible for education of ELLs
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	Y
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	Y
5. Informal assessment of English proficiency	Y	11. Other(s)	

* "Y" means "Yes, state policy mentions this item."
** "FR" means *Federal Register* (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, e. Guidance counselor or reading specialist, for example.

Q 10, #2. If 3 years or less, student is eligible for exemption. If more than 3 years, student is tested under standard testing conditions or with accommodations which maintain the standards.
Q 10, #4. County language assessments.
Q 10, #5. Whether the student's English language proficiency is "enough to attempt the subtest."

Q 10. A student may take one or more subtests.

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: WV

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.	YES	e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)	Y	g. Local committee (members not specified)	
c. Student's classroom teacher(s)	Y	h. Other(s)	Person responsible for the education of ELLs
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.	YES	6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency	Y	11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, e. Guidance counselor or reading specialist, for example.

Q 12, #5. No specific guidelines are provided.

Q 13, #3. Not allowed on the Reading test.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: WV

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components	a=Score reporting is not addressed
2=Allowed on some components	b=Scores are included in school and/or district totals
3=Explicitly prohibited on all components	c=Scores for some components are excluded
	d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	1b
2. Repetition of directions	
3. Oral reading of questions in English	2d
4. Oral reading of questions in native language	
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	3
Languages:	
8. Bilingual version of test	
Languages:	
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	1b, 1d

a.Use of masks or markers to maintain place.
b. Reading of embedded written directions in English

Response Format

11. Student can respond in native language	
12. Student dictates answers	
13. Other (Specify below.)	

Setting

14. Preferential seating	1b
15. Individual administration	1b
16. Small group administration	1b
17. In a separate location	
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	1d
20. Extended testing time (other days)	1b
21. Time of day most beneficial to student	1b
22. Frequent or extra breaks	1b
23. Other (Specify below.)	1d

Breaks during a subtest.

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: WV

Year: 98/99

Title: Guidelines: Limited English Proficient Students for Testing in the SAT-9

Date: No date

Number of Pages: 6

Document Type: Guidelines

Document Number: 1 / 1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 2
☑ Accommodation Information	page(s): 2-4
☑ LEP Definition	page(s): 1
☐ Reporting Information	page(s):
☑ Scoring Information	page(s): 5
☐ Alternate Assessments	page(s):
☐ Other	page(s):

Specify:

Usefulness: Contains substantial relevant information ▼

State Inclusion and Accommodation Policies for LEP Students

Section 1. Policy Overview*

State: WY

Year: 98/99

1. The state has a policy regarding the inclusion and/or exemption of LEP students in state mandated assessments.	YES
2. State policy allows exemptions for LEP students for a specific amount of time.	YES
3. If "YES," the longest possible period of exemption is:	Two years
4. State policy allows accommodations in state assessments for LEP students.	YES
5. State policy prohibits specific accommodations from being offered in state assessments for LEP students.	YES
6. State policy specifies that when certain accommodations are used, scores are not included in state, district and/or school totals.	N/A
7. State policy allows alternate (alternative) assessments for LEP students for whom the regular assessment, even with accommodations, is not appropriate.	YES
8. If "YES," state policy specifies alternate (alternative) assessments.	NO

*"N/A" means "Not addressed."

Comments related to questions 1-8

Q 8. When an appropriate alternate test doesn't exist, a test in the student's native language should be administered by an individual fluent in English and in the student's native language. The documents do not offer specific guidelines regarding an appropriate alternate test.

The documents provided indicate that, in Wyoming:

* While there are some specific guidelines, especially regarding inclusion and exemption criteria, regarding the participation and accommodation of LEP students in statewide assessments, there are no specific policies or guidelines for other aspects, including the selection of decision-makers and the identification of recommended accommodations criteria.

State Inclusion and Accommodation Policies for LEP Students

Section 2. Inclusion and Exemption Policies*

State: WY

Year: 98/99

LEP Definition:

Source of definition:** IASA

A limited English proficient individual is one who:

- was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or
- is a Native American, or Alaska Native, or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English proficiency; or
- is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and
- who has sufficient difficulty speaking, reading, writing, or understanding the English language, and whose difficulties may deny such an individual the opportunity to learn successfully in classrooms where the language of instruction is English, or to participate fully in society.

9. The decision regarding LEP student inclusion/exemption is made by:

State policy addresses this issue.		e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

10. The criteria for inclusion/exemption are:

State policy addresses this issue.	YES	6. Performance in school work	Y
1. Time in U.S.		7. Performance on other test(s)	Y
2. Time in U.S. schools/English speaking schools	Y	8. Academic background in home language	Y
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency	Y	10. Teacher observation/recommendation	Y
5. Informal assessment of English proficiency	Y	11. Other(s)	

* "Y" means "Yes, state policy mentions this item."

** "FR" means Federal Register (1984). "IASA" means *Improving America's School Act* (1994).

Comments related to questions 9 & 10

Q 9, e. Not specified.

Q 10, #2. If 2 years or less, student is eligible for exemption.

Q 10, #4. Must use tests devised by experts in language content: the Idea Proficiency Tests (IPT), Language Assessment Scales (LAS), Woodcock-Munoz Language Survey, for example.

Q 10, #7. Standardized achievement tests, such as the Iowa Test of Basic Skills (ITBS), the Comprehensive Test of Basic Skills (CTBS), Stanford Achievement Tests (SAT), should be used to measure reading comprehension and other (unspecified) areas.

Q 10. A student who is exempted must be tested for English proficiency.

BEST COPY AVAILABLE

State Inclusion and Accommodation Policies for LEP Students

Section 3. Accommodation Policies*

State: WY

Year: 98/99

11. The decision regarding the specific accommodations each LEP student should receive is made by:

State policy addresses this issue.		e. School/district official(s)	Y
a. Student		f. Test administrator(s)	
b. Parent(s)/guardian(s)		g. Local committee (members not specified)	
c. Student's classroom teacher(s)		h. Other(s)	
d. Student's ESL/bilingual teacher(s)			

12. The criteria for accommodations are:

State policy addresses this issue.		6. Performance in school work	
1. Time in U.S.		7. Performance on other test(s)	
2. Time in U.S. schools/English speaking schools		8. Academic background in home language	
3. Time in this state's schools		9. Language program placement	
4. Formal assessment of English proficiency		10. Routine classroom accommodations	Y
5. Informal assessment of English proficiency		11. Other(s)	

*"Y" means "Yes, state policy mentions this item."

Comments related to questions 11-13

Q 11, e. Not specified.

Q 12, #10. Accommodations should be used in the classroom for at least three months prior to testing.

Q 13, #3, #4, #13. Available for the Mathematics test only.

Q 13, #12, #19, #22. Not available for the TerraNova.

Q 13, #10a. Prohibited for reading sections.

Q 13, #13. Prohibited for the English Language Arts test.

Q 13. For state assessments, Wyoming identifies two categories of accommodations: those that require documentation, and those that don't. Those that don't are considered minimal changes to standard conditions. The following accommodations do not require documentation: #2, #13, #21.

State Inclusion and Accommodation Polices for LEP Students

Section 3. Accommodation Policies (continued)

State: WY

Year: 98/99

13. Choose the letter that best describes the use of each accommodation.*

1=Allowed on all components
2=Allowed on some components
3=Explicitly prohibited on all components

a=Score reporting is not addressed
b=Scores are included in school and/or district totals
c=Scores for some components are excluded
d=Scores for all components are excluded

Presentation Format

1. Explanation of directions	
2. Repetition of directions	1a
3. Oral reading of questions in English	2a
4. Oral reading of questions in native language	2a
5. Person familiar with student administers test	
6. Translation of directions	
7. Translation of test into native language	
Languages:	
8. Bilingual version of test	1a
Languages:	Spanish
9. Simplified/sheltered English version of test	
10. Other (Specify below.)	2a, 3

a. Read instructions aloud in student's primary language; Clarify words in student's primary language or English.
b. Paraphrase test items.

Response Format

11. Student can respond in native language	
12. Student dictates answers	2a
13. Other (Specify below.)	2a

Spell words for student providing written response.

Setting

14. Preferential seating	
15. Individual administration	1a
16. Small group administration	1a
17. In a separate location	1a
18. Other (Specify below.)	

Timing/Scheduling

19. Extended testing time (same day)	2a
20. Extended testing time (other days)	
21. Time of day most beneficial to student	1a
22. Frequent or extra breaks	2a
23. Other (Specify below.)	

Other Accommodations

24. Out-of-level testing	
25. Use of word lists/dictionaries	1a
26. Other (Specify below.)	

*For comments related to question 13, refer to bottom of previous page, Section 3, Accommodation Policies.

State Inclusion and Accommodation Policies for LEP Students

Section 4. State Policy Documents

State: WY

Year: 98/99

Title: Policies for the Participation of All Students in District and Statewide Assessment and Accountability Systems

Date: Feb 1999

Number of Pages: 24

Document Type: Policy

Document Number: 1 / 1

Information Available: Check all that apply.

☑ Inclusion/Exemption Information	page(s): 5, 11-13
☑ Accommodation Information	page(s): 9, 10
☑ LEP Definition	page(s): 21
☐ Reporting Information	page(s):
☐ Scoring Information	page(s):
☑ Alternate Assessments	page(s): 2
☐ Other	page(s):

Specify:

Usefulness: Contains some relevant information

404

The George Washington University
WASHINGTON DC

CENTER FOR EQUITY AND EXCELLENCE IN EDUCATION

1730 N. Lynn St. Suite 401
Arlington, VA 22209
(703) 528-3588 and (800) 925-3223
www.ceee.gwu.edu

BEST COPY AVAILABLE